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M. TVLLI CICERONIS
DE FINIBVS BONORVM
ET MALORVM
LIBRI I, II

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Cicero, Marcus Tullius

M. TVLLI CICERONIS
DE FINIBVS BONORVM
ET MALORVM

LIBRI I, II

EDITED BY

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PREFACE

WHEN many treasures of Latin literature were re-discovered at the opening of the Renaissance period, no Latin writer aroused so much interest and enthusiasm as Cicero. Before the end of the fifteenth century many editions of his works had appeared. The labours of the great early scholars bore more fruit for the study of Greek than of Latin literature¹. Increased attention to Latin, and especially to the Latin of Cicero, was promoted by Erasmus. An important date in the history of Latin scholarship is 1566, when the complete edition of Cicero's works by Lambinus was published. Lambinus had perhaps a more intimate knowledge of Latin usage than any scholar who lived before Madvig. In the *Onomasticon Tullianum*, published by Orelli and Baiter in 1836, is reprinted a life of Lambinus by P. Lazzeri (a learned Jesuit who was Professor of Ecclesiastical History in Rome and was protected in that post by Cardinal Zelada when the Jesuit Order was dissolved, but resigned his Chair and accepted the post of Librarian to the Cardinal, his protector), in which are reproduced many statements of Lambinus himself concerning his own life and works. He died in 1572 at the age of 52. His death is stated to have been due to terror inspired by the massacre of St Bartholomew's day. His friend, Petrus Ramus, who was his colleague as Professor in the Collège de France, was one of the victims. Ramus had been persecuted during the preceding years for his conversion to Protestantism. Lambinus feared to share his fate, and the horror inspired by the massacre is said to have been the cause of his death.

By far the greatest exponent of Ciceronian Latinity who has appeared since the time of Lambinus is J. N. Madvig, whose *magnum opus* was his edition of the *De Finibus*. An admirable account of his life and work is given by Sir John Sandys, in his *History of Scholarship*, III, 319-323. To appreciate fully the services which Madvig rendered to Latin studies, it is necessary to understand the low estate of those studies when he began his career. Readers of his commentary on the *De Finibus* are sometimes repelled by his continual denunciations of "Goerenzius"

¹ See a quotation from Erasmus in Sandys' *History of Scholarship*, vol. II, p. 125.

or "Gzius," who intrudes as perpetually as King Charles' head intruded on everything that Mr Dick tried to write. This Goerenz was reputed in Germany to be the best Latin scholar of his day. He was born in 1767 at Fürstenwalde in Saxony. He studied at Meissen and at the University of Halle, in which University he was made (1792) "Adjunct" Professor. Later (1795), he was placed at the head of the Gymnasium at Plauen, the capital of the Vogtland. A little later (1800) he was made rector of the Lyceum at Zwickau, a town about 80 miles from Dresden, in the great manufacturing region of which Chemnitz is the chief place, and was called in 1817 to Schwerin as Director of the Gymnasium (afterwards styled Fredericianum) where he died in 1836, having retired in 1833 owing to ill-health. There is some evidence to show that Goerenz was really successful as a school-master. Success in teaching has often been obtained on a small modicum of scholarship, and has frequently led to an excessive estimate of the schoolmaster's learning. Herein seems to lie the secret of the reputation which Goerenz enjoyed. An article on him written by a good scholar, F. W. Döring, praises Goerenz as possessing all the highest qualities of the man of learning.

The Manuscripts on which the text of Madvig rests were all carefully described by him in his preface. He benefited much by the labours of Orelli and Baiter. A fresh and independent examination of the text was given in the Teubner edition of Cicero's works, by C. F. W. Müller. Where the two texts of Madvig (in the latest edition) and Müller agree, I have accepted their readings excepting in a few passages, which are indicated in my critical notes. Comments which I wished to make on the text have generally been incorporated with the explanatory notes, a convenient plan since general Latin usage or Ciceronian Latin usage in very many cases must be the ground of decision between various readings. Müller has accepted the views of Madvig as to the relative value of the principal sources for the text. The two "Palatine" mss. (A and B) are of the first importance. There are corrections in A by a second hand. The effect of A² is usually to bring the reading nearer to that of B, but the corrections were not derived from B. A is defective, ending at the 16th section of the fourth book. The third fundamental ms. is one in the library at Erlangen (E) which is usually in close agreement with

B, and on the whole the agreement of ABE is very marked. BE are less trustworthy than A where the order of the words is concerned, and in orthography B is inferior to A; thus *his* is without exception in B written as *hys*, an indication that in the ms. from which B was copied, *hys*, derived from *iis*, was written for *his*.

Madvig demonstrated that all known mss. of the *De Finibus* descend from an original which was far enough removed from the age of Cicero to have become already corrupt in many places. The derivation of existing mss. from this *archetypus* is not in one and the same line of descent.

Among mss. other than ABE, a certain Paris ms. (n. 6331) receives some attention from Madvig. The collation of this *codex* made by Nigoles, and published in the *Revue de Philologie* for 1880, is more accurate than those previously made, and where I have had occasion to refer to P, I have followed Nigoles.

On the general character of the philosophical writings of Cicero I have written at length in the Introduction to my edition of the *Academica*, to which I will only refer, so far as this topic is concerned. The references in Cicero's letters to the writing of the *De Finibus* are also discussed in that Introduction (pp. 30, 31). I have only to add one or two remarks. The question raised about Tubulus and Scaevola in *Att.* 12, 5, 3 (written on June 11 or 12 in the year 45) has some connexion with the *De Finibus*, 2, 54.

As to the Greek sources of Books I and II there has been much debate. The most natural suggestion is the one that has been most frequently made, viz. that Cicero used a work of Antiochus of Ascalon; for whom see the passages in my edition of the *Academica* which are indicated in the Index, s. v. Antiochus. I must protest against the assumption, which has been often made, that Cicero had no first-hand knowledge of the writings of Epicurus. The hypothesis that he resorted to some Greek to give him an epitome of the Epicurean philosophy for the purposes of the *De Finibus* is in no way demonstrable, nor is it even probable. A judgment on this issue must depend mainly on a comparison of Cicero's statements with those in other ancient sources referring to the same topics, and this I have endeavoured to make in the course of my commentary. Usener in the Preface, pp. lxx sq., of his great work entitled *Epicurea* (Leipzig, 1887), passes a severe judgment on Cicero's use of his Greek

originals, with the exception of those belonging to the Academic School. Of this side of Cicero's philosophical writing he writes thus: "Longe alium sibi que parem Tullium in eis librorum partibus observas, ubi Academici personam induit. hic eleganter acuteque disertum, hic facetum, hic scriptorem videas scribendo delectatum sibi que merito placentem. hic denique eruditio quoque emicat non vulgaris."

I must defend Cicero from one attack made upon him by one of the greatest scholars of our time, whom I admire with all the world. In the Introduction to his great and most important work entitled *Doxographi Graeci*, Diels repeatedly charges Cicero with tampering with his Greek originals. But his allegations concern only some passages in which enumerations of philosophers are given with very brief references to their doctrine. The assumption of Diels that the existing catalogues found in the *Doxographi* were the only ones from which Cicero might have drawn his information seems to me to be neither provable nor probable. In *Quellenforschung*, both historical and philosophical, it has been a common error to underestimate grossly the compass of the ancient literature which has disappeared. Certain severe strictures by Diels on the Latin expressions chosen by Cicero to represent the Greek are somewhat discounted by infelicities in the Latin written by the critic himself, who presents his readers with such things as "ambaginibus" and "praestavisse."

J. S. REID.

CAMBRIDGE
18 August, 1923

I wish to express my sincere thanks to my friend, Dr Louis G. Purser, for the assistance he has kindly given in seeing the MS. of my edition of Cicero's *De Finibus* through the press, ill-health having prevented my doing so myself. My long association with Dr Purser in the furtherance of Ciceronian study has been a most valued experience of my life, and I feel much indebted to him for all the time and trouble which he has bestowed on the work.

I would also like to thank Mr A. D. Nock of Clare College, my friend and former pupil, for valuable help.

J. S. R.

CAMBRIDGE 1925

M. TVLLI CICERONIS DE FINIBVS BONORVM ET MALORVM

LIBER PRIMVS

I. Non eram nescius, Brute, cum, quae summis ingeniis ex-1
quisitaque doctrina philosophi Graeco sermone tractavissent, ea
Latinis litteris mandarem, fore ut hic noster labor in varias
reprehensiones incurreret. Nam quibusdam, et eis quidem non
5 admodum indoctis, totum hoc displicet philosophari. Quidam
autem non tam id reprehendunt, si remissius agatur, sed tantum

4 eis quidem: *his quidem* A; *hys q.* B ut semper; 'ne semel quidem iis' Baier.
6 tam: *tantum* scriptum est ante Orellium.

§§ 1-12. Cic. defends his work against four classes of objectors: (1) those who hate philosophy altogether; (2) those who tolerate it only if it be carried on in a lax fashion; (3) those who prefer to read Greek literature on the subject; (4) those who prefer that Cicero should employ his pen on other themes. Similar apologies are prefixed to the *Lucullus* and the *De Natura Deorum*. Also Orator, § 140 and Acad. I, 11; see Introd. to *Academica*, p. 23.

1. *eram...mandarem*: this change from sing. to plur. is not very uncommon in Cic.; so Cato m. § 5: sapientiam meam...in hoc sumus sapientes. In his n. on that passage, Allen quotes a good many parallels. The subj. *mandarem* is Hale's 'qualitative' time-clause, as opposed to 'determinative'; i.e. it describes the *kind* of time, not merely the *point* of time. The second subjunctive, *tractavissent*, merely follows the first.

nescius: see n. on 5, 51.

summum ing.: not dependent on *tractavissent*, but qualitative.

3. *fore ut*: Cic. avoids *futurum ut* (Caec. 4 is not an ex.).

hic noster labor: De opt. d. g. 18 huic labori duo genera reprehensionum opponuntur; ib. 15 hic labor meus.

5. *totum hoc...philosophari*: so De Or. 2, 39: hoc totum diserte dicere; 2, 218: totum hoc risum movere; Tusc. 5, 33: totum hoc beate vivere; for other

exx. of infin. used as substantive see below, 2 §§ 9, 18, 19, 43, 86; 3 § 44, and Wölfflin, *Archiv* 3, 70 sq.

6. *non tam*: Madv. contends that *non tam* and *non ita* do not in Cic. or the older writers take on them the force of *non admodum*, but that there is always a comparison either expressed or clearly implied, excepting where *non ita* (not *non tam*) goes with an adjective or an adverb. He however (ed. 3, p. lxviii) says that in Qu. Fr. I, 1, 16 neque tam fideles sunt, the comparison is hardly apparent. The same may be said of Scaur. 33: neque vero tam haec ipsa cotidiana res Appium Claudium illa humanitate et sapientia praeditum per se ipsa movisset, nisi hunc C. Claudi, fratris sui competitorem fore putasset. Madv., rejecting several explanations of implied comparison (with Otto) supposes anacoluthon; Cic. should have said 'non tam id (ipsam rem) reprehendunt quam nimis magnum studium,' but, changing the construction, he substituted *sed tantum* etc. for the second limb of the comparison. In Virg. Ecl. 5, 83, we have *tantum...tam* with verb (but there is distinct ellipse). In illustration Madvig gives Brut. 58: quae (suaviloquentia) nunc quidem non tam est in plerisque; latrant enim iam quidam oratores, non locuntur; sed est ea laus eloquentiae certe maxima ('significat non tam esse suaviloquentiam nunc in oratoribus, quam ipsam laudandam et requirendam

studium tamque multam operam ponendam in eo non arbitrantur. Erunt etiam, et hi quidem eruditi Graecis litteris, contemnentes Latinas, qui se dicant in Graecis legendis operam malle consumere. Postremo aliquos futuros suspicor qui me ad alias litteras vocent, genus hoc scribendi, etsi sit elegans, per-
 2 sonae tamen et dignitatis esse negent. Contra quos omnis dicendum breviter existimo; quamquam philosophiae quidem vituperatoribus satis responsum est eo libro quo a nobis philosophia defensa et collaudata est, cum esset accusata et vituperata ab Hortensio. Qui liber cum et tibi probatus videretur et eis
 10 quos ego posse iudicare arbitrarer, plura suscepi, veritus ne movere hominum studia viderer, retinere non posse. Qui autem, si maxime hoc placeat, moderatius tamen id volunt fieri, difficilem

3 contemnentes Latinas: glossema suspicor esse. 9 collaudata: *collata* P.

esse'); also § 10 below (which see); and (in ed. 3) Leg. 1, 40 (already qu. by Boeckel), non tam iudicii...sed; add Just. 11, 7, 4 qu. by Allen. [The use of *tam* with verbs is not so very common, so Tac. restricts admodum to adj. and part.; there is no ex. in Caesar.] The objection brought by Madv. against the order of the words given by the inferior mss. (*non id tam*) is hardly sound. Cic. loves to interpose a monosyllable between two words closely connected by grammar.

1. *tamque multam*: usage did not allow *tantam operam*, but Cic. might have said *tantum operae*.

1, 2. *non arbitrantur*: the negative coalesces very closely with the verb, as in *non censere*; see Allen's note.

erunt etiam, etc.: this view must be restricted to philosophic writing, and it is put into Varro's mouth by Cic. himself in Acad. 1, 4; cf. ib. §§ 8, 10.

3. *contemnentes Latinas*: i.e. such Latin philosophical literature as existed before Cicero's time; see Acad. 1, 5.

5. *litteras*: 'writings'; see n. on § 12. *genus hoc*: Hor. s. 1, 4, 24 quod sunt quos genus hoc minime iuvat, utpote plures | culpari dignos.

6. *dignitatis*: cf. § 11 and Acad. 1, 11, where a direct answer is given to these critics.

7. *philosophiae vituperatoribus*: i.e. those who totally reject it; cf. Tusc. 2, 4.

8. *eo libro*: the earliest in the series of Cicero's philosophical works. The most recent, and at the same time the fullest

and most accurate account of the dialogue is that by Plasberg (Leipzig, 1894).

11. *iudicare*: the word is rarely used in such a purely absolute sense, excepting when it is applied to the *iudices*. No exact parallel in Merguet. Perhaps there is a reference here to the courts 'qualified to sit in judgment.' In favour of this is the use of *defensa...accusata* above.

12. *movere...retinere*: so Cic. in Acad. 1, 9 says of Varro that he had written of philosophy 'ad impellendum satis, ad edocendum parum.' It is a mistake to suppose (with many scholars) that *movere* is dependent on *posse* to be supplied from *non posse*. Cic. could not leave a positive to be supplied from a coming negative verb in this fashion, though the usage is Tacitean, as in An. 12, 64; 13, 56.

13. *si maxime*: Goerenz strangely says that *si vel maxime* is usual; that phrase does not seem to occur, in Cicero at least; *si maxime* is common enough. Augustine vit. beata c. 25 has *si minime*, 'however little.'

hoc...id: the less emphatic pronoun is constantly in Cicero repeats thus the more emphatic *hic* or *ille* or *iste*; see my n. on Acad. 2, 29; Landgraf on Pro Rosc. Am. 6; add Plaut. Asin. 527 illos qui dant, eos derides; Ter. Ad. 357; Eun. 952; Haut. 591; Cic. Fam. 13, 26, 3; Quint. 10, 1, 10. Rarely is the same pronoun repeated, and rarely does it precede *hic*, *ille*, *iste*. See my n. on Acad. 2, 27 and Madv. on Fin. 5, 22; cf. below § 11; 2, 49.

quandam temperantiam postulant in eo quod semel admissum coerceri reprimique non potest, ut propemodum iustioribus utamur illis qui omnino avocent a philosophia, quam his qui rebus infinitis modum constituent in reque eo meliore quo maior sit, mediocritatem desiderent. Sive enim ad sapientiam perveniri potest, non paranda nobis solum ea, sed fruenda etiam est; sive

1 admissum: *iam missum* AE et multi alii. 6 inter *etiam* et *est* interponunt *sapientia* mss. et edd. ante Madvigium, quod fort. retinendum est. Vide comm.

1. **quandam**: the indefinite pronoun has here an intensifying, but in many cases a slightening effect.

admissum: best taken (with Madvig) in a general sense, opposite to *exclusum*, 'when once accepted'; cf. Sen. De Ira 1, 7, 2 *facilius est excludere perniciosam quam regere, et non admittere quam admissa moderari*. But many scholars have found a metaphor in *admissum*, either from horsemanship (*admittere equum*) or from some other source. However, as Madvig objects, this metaphorical use needs support, and the general form in *eo quod* ill accords with a special metaphor, while the objectors to whom Cicero is giving an answer were far from wishing to allow the rein to philosophy. The same flaws affect *immissum*, used by Sen. De Ira 3, 6, 2 *quis se regere potuit immissum?* ('when he has once let himself go') and Ep. 40, 6 *oratio...reprimi immissa*. The reading *iam missum* (defended by Gustafsson, p. 34, and others) would easily arise from *ammissum*, a common substitute in mss. for *admissum*. The awkwardness of *iam*, and the unsuitability of *coerceri* and *reprimi* to a metaphor derived from launching a missile, point to the falseness of the reading. [In Caes. B. C. 2, 34, 3 *equis admissis* has been changed in nearly all mss. to *eq. amissis*.] A passage in the so-called 'Sententiae Varronis,' 79 (ed. Riese) seems to give an echo of Cicero's words here: 'odere multi philosophiam quia quum sciri multa necesse sit, non est res tanta nisi amplius contenta spatiis.'

2. **propemodum**: qualifies the whole clause 'I may almost say.'

3. **utamur**: 'find them to be'; so Fam. 1, 9, 14 *usus es quibusdam...fortioribus in me restituendo quam fuerant idem in tenendo*; ib. 9, 1, 2; 7, 33, 2; Mil. 34; Acad. 2, 53.

6. **etiam sapientia**: most editors from Manutius onwards have ejected *sapientia*. The mere fact that it occurs in the preceding line has no weight (cf. 2, 19). But

Madvig (partly following earlier scholars) brings two special objections: (1) that elsewhere a nominative in protasis is not repeated in the apodosis, if the apodosis immediately follows ('continuo subiecta'), excepting in certain passages which are syllogistic in form, when the repetition is intentional ('de industria'); (2) that the pronoun *ea*, referring to the nominative in the protasis, renders the repetition impossible. The rule laid down in (1) involving three conditions, viz. that the noun must be in the nominative case, that the apodosis must immediately follow, and that the passage must not be syllogistic in form, is over-subtle and artificial. If the rule accords with facts, the accord may well be accidental. It would be possible to lay down many similar refined canons, which could not be overthrown by appeal to the remnants of Latin literature now existing. Objection (2) is difficult to understand; there is nothing obviously inconsistent with Cicero's usage either in the meaning of *ea*, or in its position in the sentence. For the repetition cf. Fam. 12, 8, and 12, 30, 2; Pro Flacc. 53 *hunc auctorem*; Fam. 7, 30, 3; 11, 6, 1.

6. **fruenda**: Cic. generally avoids the gerundive where the corresponding verb does not govern an accusative, particularly if the nominative case be required, and substitutes the gerund with the appropriate case. There is doubtless here assimilation to *paranda*; cf. Tusc. 5, 50 *beata vita glorianda et praedicanda et prae se ferenda est*. So Cael. 51 *vel in legatis insidiandis vel in servis ad hospitem domini necandum sollicitandis*. Fam. 4, 3, 1 *in bello cavendo*. The verbs *utor fruor potior vescor glorior insidiari cavere* are the only verbs not governing an accusative which in the language of Cicero form gerundives; of course forms like *disserendus, respondendus* are accommodated to the transitive uses of the corresponding verbs.

hoc difficile est, tamen nec modus est ullus investigandi veri, nisi inveneris, et quaerendi defetigatio turpis est, cum id quod quaeritur sit pulcherrimum. Etenim si delectamur, cum scribimus, quis est tam invidus qui ab eo nos abducat? sin laboramus, quis est qui alienae modum statuatur industriae? Nam ut Terenti- 5
anus Chremes non inhumanus, qui novum vicinum non volt

Fodere aut arare aut aliquid ferre denique

2 defetigatio: sic A². 4 invidus: *timidus* E et *deducat* pro *abducat*.

1. *difficile est*: at first sight *non potest fieri* might have been expected. But the words in the text better represent the position of the Sceptics, who could not consistently make a statement so dogmatic as the doctrine that the discovery of truth is impossible.

modus...veri: the gen. is the prevalent construction with *modus est*, though the dat. occasionally occurs (Ad Herenn. 2, 50). With gerunds or gerundives the dat. is very rare, not merely after *modus est* or *fit*, but after such phrases as *modum facere, constituere*. (Below, *industriam* is probably dat.) Cf. *modum crescendo* ponere in Lucan 10, 331. In Plaut. *Asin.* 167 the mss. give *qui modus dandi*? where almost all editors have wrongly changed *dandi* to *dando*.

nisi inveneris: Acad. 2, 26 *quaestionisque finis inventio*.

2. *defetigatio*: probably this spelling (not *defatigatio*) was alone used in the Latin of the Republic. So in the Ambrosian ms. of Plaut. *Trin.* 225 (the only passage where any cognate is contained in the ms.). For the phrase cf. Aristotle 984 a 30 *ἡττάσθαι ὑπὸ τῆς ἡττήσεως*.

3. *etenim*: the note of Madvig will show that the force of this particle has often been misconceived, from the idea that it must needs be confirmative of the sentence immediately preceding. Here it has almost the force of *porro* or *praeterea*. Indeed the word is rarely (never, I think, in Cicero) a causal particle, giving reason for words which immediately precede; nor (like *nam* or *enim*) is it ever elliptically used, so as to refer to some consideration which the writer has left the reader to supply for himself. It either continues the general argument, as here, or if it stands in close connexion with preceding words, merely emphasises an additional point; e.g. *Verr.* 4, 15 *eius legationis princeps est Heius, etenim est primus civitatis*,

not 'because he is the first man in the community' but 'and indeed he is.'

4. *eo*: often used, as here, without any substantial word in the context.

laboramus: 'trouble ourselves over it'; so below, 3, 8 and often.

5. *ut...non inhumanus...sic isti curiosi*: the omission of the verb is especially common in the Ciceronian writings, in short clauses where great stress lies on one word, such as a negative, pronoun, or adverb; cf. n. on 1, 18.

The employment of *ut* and *sic* with clauses which are not in correspondence but in contrast, as here, is very common; see below, 1, 49 and 67; 2, 67 and 100.

7. *fodere*, etc.: from Terence, *Hautontim.* 67 ff. (Chremes addresses Menedemus): *numquam tam mane egredior neque tam vesperi | domum revortor, quin te in fundo conspicer | fodere aut arare aut aliquid ferre denique | nullum remittis tempus neque te respicias*. There can be no doubt that Cicero found *ferre* in his mss. of Terence, and intended to connect *denique* with the preceding words. If this be done the sense of *aut...denique* (as Madvig shows) must be 'or at all events' (this use of *aut...denique* is common enough in Cicero); and it follows that the idea attaching to *ferre* (if right) should be slighter than those involved in *fodere* and *arare*, or else that the meaning of *ferre* should generalise the meanings of *fodere* and *arare*. It has been assumed that *ferre* cannot fit in with either of these conditions; but it may have the sense 'to bear some toil' in which case it may fairly be said to be general in meaning, or 'to carry something in the hand,' so that it would indicate a slighter exertion than those indicated by *fodere* and *arare*. There seems therefore to be no necessity (even on the assumption that Cicero is right in connecting *denique* with what goes before) to suppose that Terence really wrote *facere*, not *ferre*. This supposition

(non enim illum ab industria, sed ab illiberali labore deterret), sic isti curiosi, quos offendit noster minime nobis iniucundus labor.

II. Eis igitur est difficilior satis facere, qui se Latina scripta 4
5 dicunt contemnere. In quibus hoc primum est in quo admirer, cur in gravissimis rebus non delectet eos sermo patrius, cum idem fabellas Latinas ad verbum e Graecis expressas non inviti legant.

4 Latina: *Latine* A².

was made by Bentley, relying on a quotation by the scholiast who, in a note on Phormio 121, gives the line of the Haut. with *facere* instead of *ferre*. This was probably a mere slip, caused by the occurrence of *faceret* in the line on which he was commenting at the moment. [The scholiast wrongly interprets *denique* as equivalent to *deinde* or *postremum*.] Many scholars (including Madvig and Fleckeisen) make *ferre* end a sentence and *denique* begin the next. This measure, however, does not render *ferre* any easier to explain.

2. curiosi: περίεργοι.

4. igitur: here, as often, not a particle of inference ('therefore') but merely continuative ('well, then'); so sometimes ergo (as in Tusc. Disp. 3, 55).

Latina scripta: the reading *Latine* is no doubt wrong, since we need the contrast with *Graeca*, and *Latina* is supported by *Latinas fabellas* and *Latinas litteras* below. But yet exception may be taken to the statement of Madvig that *Latine scripta* would of necessity mean 'res Latine dictae et verba recte et Latine posita,' that is to say that if *Latine* were attached to *scripta* the latter word would inevitably be participle, not noun. The neuter nouns derived from passive participles have this peculiarity, traceable to their origin, that they sometimes are linked with an adverb without ceasing to be nouns. Cf. pro Sull. 72 *ecquod est huius factum aut commissum*, non dicam audacius; Fam. 10, 16, 2 *ut ante factum aliquid a te egregium audiamus* (so mss.); Nep. Timoth. 1, 2 *multa huius sunt praeclara facta*; Lucret. 5, 1224 *nequod ob admissum foede dictumve superbe* (so mss.), Lachmann *nequid* ('a necessary change' says Munro, if it is joined with *admissum*). *Bene factum, recte factum* (wrongly written as compounds) afford other examples of the same usage.

5. in quibus...in quo admirer, etc.: the sentence is somewhat awkwardly

put together. The slight carelessness involved in the succession *in quibus...in quo*, has of course many parallels. In both cases the preposition *in* means 'in connexion with' as often, e.g. N.D. 2, 124 *est admiratio in bestiis* 'there is reason for astonishment in the case of animals.' The *cur*-clause is properly explanatory of *hoc*, but depends for its form on *admirer*; the indirect question being of common occurrence with this verb. Cf. Phil. 2, 49 *in quo demoror cur* ...; cf. also n. on 1, 39 below (*delectari in*). For a somewhat similar, but less complicated sentence, cf. N.D. 2, 124 *in quo admirandum est congressum aliquo inter se an iam inde ab ortu natura ipsa congregatae sint*. But for the intervention of *admirer*, the clause epexegetic of *hoc* would probably have taken its usual form of an infinitive clause.

7. fabellas: followed by *fabulis* below: so Cael. 64 *velut haec tota fabella veteris et plurimarum fabularum poetriae quam est sine argumento!*; also N.D. 1, 41; Tusc. 1, 113, 114.

e Graecis: but *de Graecis conversa* in § 6; cf. 3, 15 *exprimi verbum e verbo*. The Greek plays were not literally translated by the early Latins. See Ribbeck, Trag. 213. For different phrases used by Cicero to express literal translation see my n. on Acad. 2, 17. The use of the word *fabellas* seems to indicate that only some inferior Latin plays are alleged to have been literal translations from the Greek. In § 7 it is implied that Afranius, in borrowing from Menander, translated him literally in certain passages only. There is therefore no contradiction between the words of Cicero here and those which he applies to Roman playwrights generally in Acad. 1, 10, where he states that they conveyed the force rather than the language of the Greeks. A good deal of ingenuity has been expended in attempts to explain a supposed incongruity between the two passages.

Quis enim tam inimicus paene nomini Romano est, qui Enni Medeam aut Antiopam Pacuvi spernat aut reiciat, quod se isdem Euripidi fabulis delectari dicat, Latinas litteras oderit? Synephebos ego, inquit, potius Caecili aut Andriam Terenti quam 5 utramque Menandri legam? A quibus tantum dissentio ut, cum 5

5 tantum: fortasse *tamen* scripsit Tullius.

1. *inimicus...nomini R.*: so Nep. Han. 7 inimicissimum nomini Romano. The phrase *nomen Romanum* is here hardly like *n. Latinum*, *n. Volscum*, etc. (as Otto declared), but means 'the very name of Roman'; cf. e.g. below, 5, 62 cui Tubuli nomen odio non est? Off. 2, 2 vereor ne...philosophiae nomen sit invisum; Verr. 2, 1, 79 deficere ab nomine nostro.

paene: as Madvig notes, this word does not qualify *inimicus* but goes with *nomini*. In Cicero's writings *paene*, and *prope* with the sense of *paene*, far oftener refer to words that follow than to words preceding.

2. *spernat aut reiciat*: when Cicero uses (as he very frequently does) two nearly synonymous words, he generally places between them a copulative, not a disjunctive word. Probably *aut* for *ac* is due here to the form of the sentence, which involves a question equivalent to a negation. See n. on 3, 70, 71.

quod...dicat: see n. on § 24.

3. *Euripidi*: see n. on § 14.

Latinas litteras: as has often been pointed out, this phrase affords no exact contrast with *Euripidi fabulis*; hence scholars have proposed to omit *litteras*, but the omission leaves the contrast still imperfect. There are other inexactnesses in the passage. We set out with certain persons who dislike *Latina scripta* (when philosophy is in question) but yet are ready to read the most literal translations of Greek plays. Then the question is asked 'who is so unpatriotic as to scorn Latin renderings of Greek plays, on the ground that he loves the originals, but cannot bear Latin literature?' The question implies that there is no such man; yet immediately afterwards a speech is put into the mouth of such an one: 'am I to read the renderings of Menander by Caecilius or Terence, rather than the original text of Menander?' (Something very similar occurs in § 8 quis non legat? etc. and in § 11 the implied negative in the question *quis alienum putet* etc. contradicts the words in § 1, *personae et dignitatis esse negent*; see also my n. on

Acad. 2 § 89 quid loquar de insanis?) Then Cicero pleads for even bad translations of Greek plays, coming back to the point from which he started. It is much more probable that these irregularities are chargeable to Cicero's haste than to any errors in the mss. tradition. [Jacob in Philol. VI, 480; Iwan Müller A¹¹.] There is a passage in De opt. gen. oratorum § 18 which contains arguments similar to those of our text, but has been corrupted by assimilation to this.

4. *inquit*: 'says such an one'; for the indefiniteness of the reference see illustrations in my n. on Acad. 2, 79.

Caecili...Terenti: note the avoidance of chiasmus.

5. *quibus*: transition from the (supposed) individual to the class of which he is a specimen. Cf. 5, 94 hic si Peripateticus fuisset, qui dicunt, where see n.

tantum dissentio: here and in pro Font. 30 for the more usual *tanto opere* dissentio (Acad. 2, 132; N.D. I, 5; cf. Acad. 2, 147 (discrepant)). As Madv. says, this sense of *tantum* is rarely found, excepting where the correlative *quantum* is expressed, or where the verb is such that *tantum* indicates 'magis pro substantivo mensuram quam pro adverbio gradum,' as in *tantum abesse*. Madvig compares the not uncommon employment of *multum* in the sense of *magno opere* or *valde*, and of *plus* for *magis*. The assertion often made (as here by Madvig) that *multum* with verbs has the value of *saepe* is not precisely correct. There is no apparent difference between *multum* in Att. 14, 13, 3 multum me litterae consolantur, 'literature solaces me a great deal,' and in 8, 13, 2 multum mecum municipales homines locuntur, 'people in the country-towns talk to me a great deal'; yet in the one case Madvig interprets the word as *valde*, in the other as *saepe*. Of course the notion of frequency often lies close to that of extent or degree, and the transition is easily made from the one to the other (as in Brut. 310 multum...saepius), yet the two ideas are not confounded and 'multum et saepe' is a common phrase

Sophocles vel optime scripserit Electram, tamen male conversam Atili mihi legendam putem, de quo Licinus: 'Ferreum scriptorem!' verum, opinor, scriptorem tamen, ut legendus sit. Rudem enim esse omnino in nostris poetis aut inertissimae segnitiae est 5 aut fastidi delicatissimi. Mihi quidem nulli satis eruditi videntur, quibus nostra ignota sunt. An

Vtinam ne in nemore...

nihilo minus legimus quam hoc idem Graecum, quae autem de bene beateque vivendo a Platone disputata sunt, haec explicari

3 tamen: fortasse excidit aut *Latinum* aut *nostrum*.

in Cicero's writings and elsewhere, in conjunction with verbs (e.g. Acad. 1, 4). *Tantum* for *tanto opere* is avoided altogether by some writers, as by Caesar.

2. *Atili*: apparently 'Atilius poeta durissimus,' from whom a quotation is made in Att. 14, 20, 3. After the assassination of Julius Caesar, a pathetic passage from the 'Electra,' capable of being applied to the disaster, was sung in the theatre (Suet. Iul. 84).

Licinus: in all probability Porcius Licinus, versifier and literary critic of the generation before Cicero, is meant. All available information concerning him will be found in the work by Büttner, 'Porcius Licinus und der literarische Kreis des Q. Lutatius Catulus' (Leipzig, 1893). Büttner sees an allusion to him in the *tonsor Licinus* of Horace (A.P. 301).

ferreum, etc.: many scholars from Voss onwards (including Weichert and Büttner) have assumed the quotation to extend from *ferreum* to *legendus sit*. But, as Madvig urged, it is exceedingly unlikely that Cicero would have found in the poet words so precisely adapted to his argument. Büttner contends, most improbably, that Cicero's whole argument in the context was suggested to him by Licinus. The fact that the words in question can be scanned as one whole trochaic septenarius with part of another, must be accidental. Büttner urges that verses in this metre are quoted from Licinus by Gellius, but this has really no bearing on the extent of Cicero's quotation here. Nor can any weight be attributed to the contention that if the words *ut legendus sit* are Cicero's own he was guilty of tautology, after having written *mihi legendam* just before (Büttner, Philol. XLII, 54, after Detlefsen). Madvig admits that the direct quotation of two words only from

an author is unusual with Cicero, but there are exx.

3. *scriptorem tamen*: one would have expected *Latinum* or *nostrum* to be added; or *poetam* instead of *scriptorem*; but perhaps the thought is 'no one can deny him a literary character, so that he ought to be read.' The form of the correction in *ferreum scriptorem, verum scriptorem tamen* is of frequent occurrence; cf. e.g. Brut. 221 non satis acutus orator sed tamen orator.

rudem: in contrast with *eruditi* below.

4. *inertissimae segnitiae*: not exactly pleonastic (Holstein and others); the reference in *inertissimae* is to 'has maximas artes quibus qui carebant, inertes a maioribus nominabantur' (Fin. 2, 115, where see n.).

5. *fastidi*: often used of great or excessive refinement in taste (literary or gastronomic); cf. especially De opt. gen. orat. 18 and Tusc. 4, 23 ad certas res vitiosam offensionem atque fastidium.

delicatissimi: the word conveys the notion of whimsicality or capriciousness or wantonness such as that of a spoilt child or other favourite; *deliciae* has corresponding applications.

6. *an*: the change from *at* to *an* is necessary. The form of argument, consisting of a bimembral question, the one limb comprising an admitted fact, while the other puts a fact cognate, yet not admitted, is exceedingly common in Cicero. The second limb is frequently placed side by side with the first, without any connecting link such as *autem* provides here. Cf. below § 12.

7. *utinam ne in nemore*: these often quoted first words of the Medea of Ennius are substituted for the name of the play.

9. *bene beateque vivendo*: see n. on

6 non placebit Latine? Quid si nos non interpretum fungimur munere, sed tuemur ea quae dicta sunt ab eis quos probamus, eisquē nostrum iudicium et nostrum scribendi ordinem adiungimus? quid habent cur Graeca anteponant eis, quae et splendide dicta sint neque sint conversa de Graecis? Nam si dicent ab illis has res esse tractatas, ne ipsos quidem Graecos est cur tam multos legant quam legendi sunt. Quid enim est a Chrysippo

2 ea quae dicta: fort. *res quae dictae*.

5 dicta sint: ita P; *d. sunt* AE.

6 ipsos dett. P²: *ipso* codd.
Ernesti,

7 quam legendi sunt: glossema esse coniecit

§ 11. The reference in the words a *Platone* appears to be quite general. If there is any allusion to a particular dialogue, it can be no other than the *Philebus*. But Plato is here typical of Greek philosophers in general; Cicero chooses the noblest representative. So below, in § 7, where Plato and Aristotle are joined together. The words *quae... haec* refer not to the actual writings of Plato, but to the ethical problems debated in those writings. *Disputare aliquid* for *de aliqua re* is of course commonly found. Below, *ea quae dicta sunt* mean actual statements.

1. *interpretum*: often used of literal translators, as in Off. 1, 6 *Stoicos sequemur, non ut interpretes*.

2. *tuemur*: not 'defend' (as some of the translators understand the word) but 'keep to.' Without departing from the doctrines of the chosen authors, Cicero is to choose his own language and arrangement. Cf. 2, 11 where we have the succession *tenere, tueri, defendere*.

probamus: Seyffert in his *Scholae Latinae* curiously takes this as meaning 'to quote' probably because the meaning 'approve' is not suitable to the opposing philosophers who are followed in different parts of the treatise. But Cicero may be deemed to have 'approved' all of these as representatives of their schools.

3. *iudicium*: the context shows that the word here implies literary taste, not intellectual judgment. The usage is of course familiar.

scribendi ordinem: these words are applicable only to the employment of one book as an authority, and would be entirely out of place had Cicero drawn his material from numerous books or authorities.

4. *et...neque*: see Draeger, *Hist. Synt.* § 323, 5 (11, 84).

5. *dicta sint*: it is difficult to decide

whether *dicta sunt...conversa sunt*, should be read, or *d. sint...c. sint*. The previous sentence might suggest that Cicero had in his mind particular complete writings (the 'De Rep.,' 'De Legibus' and the 'Hortensius'), and not the quality of all his philosophical compositions, whether finished or contemplated. But 'even' so, the indicative verbs might be drawn into the subjunctive in sympathy with the preceding clause. Baiter's omission of the *sint* after *dicta* can scarcely be right. Cicero would rather have dropped the *sint* before *conversa*. The omission of the earlier *sint* is made very awkward by the interposition of the *neque*, and the circumstances are quite different here and in § 30 *quam ob rem voluptas expetenda, fugiendus dolor sit*.

Graecis: quite possibly masc. although *Graeca* precedes. Cf. *illis* in the next sentence (which may however be *κατὰ ὁμοειδὴ* like *ille* in 5, 16, where see n.); and § 7 *Platonem verterem*. Just below, in *Stoicis* is rather 'in treating the Stoic system' than 'among the Stoics' (as though referring to Chrysippus).

6. *ne ipsos*: there is a small ellipse in the introduction of the apodosis, 'I give the following answer'; cf. Nägelsbach, *Stilistik*, § 184, 1.

7. *legendi sunt*: in a masterly note Madvig refutes the opinion of Davies that these words bear the sense of *leguntur*, and that of others, who gave them the value of *legi possunt*. His view that there is slight ellipse ('quam legendi sunt, si quis doctus et eruditus haberi vult') is unquestionably true. Madvig lays down clearly the limits within which the gerundive assumed or bordered on the idea of possibility in the Latin of Cicero. But his quotations are confined to *vix ferendus*, or *non ferendus*, with the exception of In Cat. 2, 28 *vix optandum*, where, however, the sense of

praetermissum in Stoicis? Legimus tamen Diogenen, Antipatrum, Mnesarchum, Panaetium, multos alios in primisque familiarem nostrum Posidonium. Quid? Theophrastus medicriterne delectat, cum tractat locos ab Aristotele ante tractatos? 5 quid? Epicurei num desistunt de isdem, de quibus et ab Epicuro scriptum est et ab antiquis, ad arbitrium suum scribere? Quod

propriety clearly comes out, 'a thing for which we scarce should pray.' Cicero never, as M. says, adds words which render the sense of possibility conspicuous, as Velleius does (2, 46): 'res vix multis voluminibus enarrandae.' Poets and later prose writers not only introduce such negative phrases as *nulli cernendus*, but positive expressions, like Ovid, *Fast.* 6, 720 *continua Delphin nocte videndus erit*. Madvig also points out that the notion of simple futurity seems to be attached to the gerundive in only one passage of Latin before the time of Lactantius and Jerome, viz. *Liv.* 3, 45, 3 *promitto puellam sistendam*, 'I undertake that the girl shall be produced'; with which he compares *voveo aedem faciendam*. The two expressions are indeed strictly parallel. *Promittere puellam*, 'to promise a girl,' can stand by itself just as well as *vovere aedem*, and the extension in both cases is the same: 'I vow a temple, which is to be constructed,' and 'I promise a girl, who is to be produced'; so *habuit aedem tuendam* and many like phrases. It is therefore, perhaps, hardly correct to say that even in the passage of Livy the gerundive conveys the idea of simple futurity.

1. *légimus* or *légimus*? Probably the latter.

Diogenen: see n. on 2, 24.

2. *Mnesarchum*, *Panaetium*: the chronological order is here disturbed, since Mnesarchus was pupil of Panaetius. As a rule Cicero is careful in such enumerations to preserve the order of time. In *Tusc.* 5, 107 there is a similar disturbance, according to some of the mss., but recent editors have corrected the passage.

multos alios: the asyndeton at the end of the summation is usual but not universal. So with *cetera* in 4, 35, where see n. Also cf. 2, 23 *his omnibus*.

in *primisque*: Cicero does not attach *que* to *ex* or *in* (apart from a few examples of old-fashioned formulae, as *exque re publica* in *Phil.* 3. 38 and 5, 36 and 10, 26; cf. *Div.* 1, 102 *inque*) unless

a demonstrative pronoun follows. He also observes as a rule the condition accepted by nearly all writers for all prepositions, that *que* is only attached when the preposition is repeated. To many prepositions *que* is never joined; so *ad* (hence *ad easque* in 3, 72). See Landgraf on *Rosc. Am.* 114 (with additional remarks in appendix) also Krebs-Schmalz, *Antibarbarus*, s.v. *que*.

3. *familiarem*: Cicero had known P. both at Rome and at Rhodes, and had corresponded with him. In a fragment of the Hortensius (44 in C. F. W. Müller's text) he is called 'the greatest of all Stoics.' This statement of Cicero that, for the Stoic philosophy, he read Posidonius more than others, is of some importance.

quid? this little anticipative question (like *τί δέ*;) is almost invariably followed by a second question.

mediocriterne: the interrogative particle is often not attached to the earliest possible word in the sentence. Similarly *num* and *nonne* often come late.

4. *locos*: Horace, who uses *loca* in this sense (*ep.* 2, 1, 223), is not followed by any good writer, though later poets and later prose writers often use *loci* in the sense of *loca*. See Neue, *Formenlehre*, 1², 543.

5. *Epicurei*, etc.: Diels, *Doxogr. Gr.* p. 105, seems to misunderstand the passage.

isdem: possibly neut. just as *omnibus* is used by Cic. for *omnibus rebus*; but perhaps *locis* is to be supplied.

et ab Epicuro...et ab antiquis: the *antiqui* here do not include Epicurus, but embrace his immediate followers, Hermarchus Metrodorus and one or two others; just as the phrase *vetus Academia* often includes Plato's immediate followers, while excluding Plato himself.

6. *ad arbitrium*: no more freedom of treatment is implied here than in the words *nostrum iudicium et nostrum scribendi ordinem* above. Cicero often reproaches the later Epicureans with a parrot-like adherence to the lessons of their founder; see n. on 2, 95.

si Graeci leguntur a Graecis isdem de rebus alia ratione compositis, quid est cur nostri a nostris non legantur?

7 III. Quamquam, si plane sic verterem Platonem aut Aristotelen, ut verterunt nostri poetae fabulas, male, credo, mererer de meis civibus, si ad eorum cognitionem divina illa ingenia transferrem. Sed id neque feci adhuc nec mihi tamen ne faciam interdictum puto. Locos quidem quosdam, si videbitur, transferam, et maxime ab eis quos modo nominavi, cum inciderit ut id apte fieri possit, ut ab Homero Ennius, Afranius a Menandro

1. *isdem de rebus...compositis*: Rath proposed to eject *de*, which might well have arisen, by dittographia, from *dem* (*dē*) of *isdem*. Although I have found no parallel to the phrase *legere aliquem de aliqua re*, it does not look un-Latin.

3. *plane sic*: the *plane* qualifies the *sic*; cf. *sic prorsus*.

Platonem...Aristotelen: the context would lead an unwary reader to suppose that the material for the *De Finibus* was found in one or other of these philosophers. But (as is the case with the mention of Plato in § 5) they are merely taken as typical. Plato, Aristotle and Theophrastus are similarly put forward in Acad. 1, 10. Yet *quos modo nominavi* (below, § 7) presents a real difficulty. It may refer back to the Stoics above. Cic. of course is not necessarily referring exclusively to the *De Finibus* but to the whole scheme of his philosophic writings and may here be expressing intentions never carried out.

5. *si ad eorum*, etc.: the second protasis, coming after the apodosis, has the effect of giving a new aspect to the first, pressing it with more vigour. The usage is so common that it is not worth while to give instances; cf. Nägelsbach, *Stilistik* § 149. The same kind of repetition is found with *cum*-clauses, and other clauses also; and the principal clause does not always stand in the middle; cf. e.g. Acad. 2, 97. See n. on 2, 112; and cf. Goodwin, *Moods and Tenses*, § 510. [Madvig quotes Q. Fr. 2, 15 a (13), 2 with a doubtful reading.]

si...transferrem, etc.: the force of this passage is misunderstood by Prof. Sonnenschein in C.R. 1, 126.

6. *transferrem*: this verb is never used by Cicero *simpliciter*, in the sense of *translating*, a sense which would here fit ill with *ingenia*. The idea of close translation springs not from this verb, but from the context. So Att. 6, 2, 3, *istum ego locum totidem verbis a*

Dicaearcho transtuli: 'I have borrowed the passage from D., rendering it literally.' Madvig lays down, somewhat arbitrarily, that *transferre locos ex aliquo* for *ab aliquo*, would not be good Latin. But what essential difference is there between *intellegere aliquid e Platone*, 'something may be understood from Plato's pages' (2 § 2), and *transferre aliquid e Platone*, 'to borrow something from Plato's pages'?

7. *interdictum*: the word was originally used of an order issued by a magistrate, and retains in its secondary applications traces of its origin. Cf. De Or. 1, 215 *neque enim est interdictum aut a rerum natura, aut a lege aliqua atque more*. After *nec, quominus* would have been more usual; see Riemann, *Synt. Latine*, § 189, 1.

transferam...cum inciderit: in such sentences Cicero often resorts to the fut. perf. tense even where (as here) the future would stand. In 1, 63 *morati melius erimus cum didicerimus*, the tense is of course made necessary by the sense.

8. *inciderit*: the impersonal use occurs only here and Lael. 33 in the philosophical writings of Cicero, not at all in the speeches, and is rare in his other works. It is common in Livy.

9. *ab Homero*, etc.: Cicero purposely quotes an epic writer and a dramatist, both of whom dealt with Roman subjects, and were therefore not so slavishly dependent as other writers on the Greeks. Yet Afranius in his lifetime had to defend himself against the charge of borrowing too largely from Menander (Macrob. sat. 6, 1, 4); but the story itself testifies to his comparative originality. Cic. here certainly misleads by comparing the *togatae* of Afranius and the *Annales* of Ennius with his own dialogues. The only passages which he openly translates in these books are from Epicurus and Metrodorus in Fin. 1, 11.

Ennius of Rudiae said he had 'tria

solet. Nec vero, ut noster Lucilius, recusabo quo minus omnes mea legant. Vtinam esset ille Persius! Scipio vero et Rutilius multo etiam magis; quorum ille iudicium reformidans Tarentinis ait se et Consentinis et Siculis scribere. Facete is quidem, sicut alia;

4 alia Ursinus: *alias* omnes ante Madvigium.

corda': cf. Gell. 17, 17, 1 Q. Ennius tria corda habere sese dicebat quod loqui Graece et Osce et Latine sciret. It is strange that Oscan is mentioned and not Messapian. Mommsen thought he did not mention it because he regarded it as a dialect of Greek. Rudiae was probably Hellenised more or less.

1. *nec recusabo*, etc.: cf. De Or. 1, 256 *nec repugnabo quominus, id quod modo hortatus es, omnia legant*, with a reference in the context to the same passage of Lucilius, which is quoted in 2, 25: 'Persium non curo legere, Laelium Decumum volo,' and by Plin. praef. 7: 'nec doctissimis. Manium Persium haec legere nolo, Iunium Congum volo.' As the name of Persius was Gaius, L. Müller changes *Manium* to *nam Gaium* (and is followed by Baehrens) while Marx reads *Manilium Persiumve*. As there is mention of *Congus* in the context of De Orat. 1, 256 it is clear that both he and Laelius were mentioned by Lucilius. It is natural to suppose that two others were contrasted with them, Persius being set against Laelius, and against Congus some other man, for whose name Pliny has substituted that of Persius. Muir (J. Phil. VIII, 207-210) plausibly reconstructs the passage thus:

*nec doctissimis scribuntur haec
neque indoctissimis:*

Persium non curo legere, Laelium
Decumum volo

.....Manium

[Persium] haec ego legere nolo,

Iunium Congum volo.

Possibly, as Marx supposes, the missing name is that of Manilius, the celebrated jurist and member of the Scipionic circle. It is evident from the words of Cicero here that Lucilius also named Scipio and Rutilius among the very learned; no doubt each of them was pitted against a specimen of the moderately learned class. The passage of Pliny to which reference is made above shows that Cicero quoted the lines of Lucilius in a lost portion of his 'De Republica.' As the interlocutors and listeners in that dialogue were the very men of the

Scipionic circle to whom Lucilius alludes, Cicero would very naturally in the prelude to his work, give a full quotation. There is reason to think, as Fachmann and L. Müller have shown, that the lines of Lucilius were introductory to his XXVth book, and that this book was the earliest of his writings. Very nearly all the fragments which can be referred to that book are in this same trochaic metre (note the few iambic fragments at the end of Baehrens' text). If, as I believe, the whole book dealt in a popular manner with philosophic themes, there would be an especial reason why Cicero should have quoted its opening lines in the introduction to his two dialogues, De Republica and De Finibus.

2. *ille Persius*: nothing is known of him but what may be gathered from the passages quoted above, and from Brut. 99: *alii a C. Persio litterato homine scriptam esse (sc. orationem) aiebant, illo quem significat valde doctum esse Lucilius.*

3. *magis*: sc. *vellem esse*. I see no reason for supposing (with Madvig) that Cicero here alludes to a different passage of Lucilius.

iudicium: 'criticism.'

Tarentinis: these are specimens of bilingual people. Wesenberg (ap. Madvig.) supposes (with much probability) that Lucilius was in the passage apologising for his loose phrases and his frequent mixture of Greek with Latin. For the dative with *scribere* see my n. on Acad. 1, 9, and add the following to the references there given: De Or. 2, 341; Qu. Fr. 3, 1, 11; Ovid, Trist. 2, 245 and 303; ib. 5, 7, 27 *nil equidem feci—tu scis hoc ipse*—theatris (the reading has been disputed but is quite sound); Ex Pont. 3, 3, 51; Sen. suas. 2 § 19; Plin. n. h. 18 § 24; Martial, pref. to Book 1, epigrammata illis scribuntur qui solent spectare Florales; Avian. Fab. 1, 15. Cic. does not say 'scribo tibi,' meaning 'I write a letter to you,' as do Plin. ep. 1, 5, 17, Tacitus and many other authors.

4. *Consentinis*: see Budinsky, 'Die Ausbreitung der lateinischen Sprache'

sed neque tam docti tum erant ad quorum iudicium elaboraret, et sunt illius scripta leviora, ut urbanitas summa appareat, 8 doctrina mediocris. Ego autem quem timeam lectorem, cum ad te ne Graecis quidem cedentem in philosophia audeam scribere? quamquam a te ipso id quidem facio provocatus gratissimo mihi 5 libro quem ad me de virtute misisti. Sed ex eo credo quibusdam usu venire ut abhorreant a Latinis, quod inciderint in inculta quaedam et horrida, de malis Graecis Latine scripta deterius.

(Berlin, 1881). Varro called the Massilienses 'trilingues,' 'quod et Graece loquantur et Latine et Gallice' (Isid. Orig. 15, 1, 63 ed. Lindemann).

facete: in a n. on Acad. 2, 94 I have given exx. of the omission of the verb in brief clauses where emphasis is thrown on an adverb, and many others might be added, such as Fam. 9, 15, 3 (where Madvig cleverly set a passage right by the change of *urbanae* to *urbane*); Att. 5, 11, 2; Caelius ap. Fam. 8, 6, 1; Cato, agr. 110 si demptus est odor deterior, id optime (sc. fecisti); Lucan 3, 111 melius (sc. Caesar fecit) quod plura iubere erubuit quam Roma pati (a passage misunderstood by Francken and others).

sicut alia: cf. 4, 73 facete Piso...et alia multa; Off. 3, 42 scite Chrysippus ut multa; N.D. 2, 69 concinneque, ut multa, Timaeus; Lael. 90 scitum est enim illud Catonis, ut multa. There can be no reasonable doubt that Madvig is right in reading *alia*. As he says, writers before Pliny never give *alias* the sense of *alio loco* but always that of *alio tempore*. Also *alias* 'significat unum aliquod aliud tempus,' a statement which should be modified by adding that *alias* can take on a plural signification when *saepe* (very common), *non numquam* (Caes. B. C. 1, 64 and Cic. Hort. fragm. 46) or other similarly qualifying expression is attached, or when it is contrasted with a plural word, such as *plerumque* (Cato m. 51). In like manner *alias alios* in post red. in sen; 30; and *alias...alias* with imperfect of frequency in Verr. 2, 1, 120. The word occurs often in Cicero's philosophical works but only thrice in the speeches. On *alias...alias* see 2, 87 n.

1. **sed neque**, etc.: the argument is far from clear. It appears to be: 'the doctissimi of Lucilius were not sufficiently docti to induce him to give a fine finish to his writings, and his themes were slight, and afforded an opening for

urbanitas rather than doctrina.' Tam docti...ad quorum = t. d. ut ad eorum, not (as Madvig has it) t. d. quam nunc sunt, ad quorum.

2. **urbanitas:** in Lucilius, this consisted in the bonhomie and wit of the town-bred man rather than in ease and polish of style, to which the word is often applied (Quint. 6, 3, 107).

4. **ne...philosophia:** see my ed. of the Acad. p. 32 and n. on 1, 12. Brutus' book must have been written but a short time before, as he speaks of seeing Marcellus in exile at Mitylene (Seneca dial. 12, 9, 4).

ad te scribere...ad me misisti: both *scribere ad aliquem* and *mittere librum ad aliquem* are employed of dedicating books to a friend. Both expressions occur together in Varro agr. 3, 1, 9 (in 1, 1, 10 he has *mittere* with the dative in the same sense; so Censor. de die n. 1, 5). See further illustrations in my n. on Acad. 1, 2.

6. **quem...misisti:** for the position of the words *de virtute* cf. Tusc. 4, 66 eam rationem quae minime probatur de...; De Or. 2, 61 libri qui sunt fere inscripti de...; Lael. 4 in Catone maiore, qui est scriptus ad te de senectute.

ex eo: the preposition is unusual here, *eo...quod* being the ordinary form; *ex* may have arisen by dittography from *eo*. But cf. Tusc. 1, 30 ex eo est quod (where *eo* alone could hardly go with *quod*).

7. **horridus** and **incultus** are often combined as here; see Landgraf on Rosc. Am. 75.

inculta: the Latin books by Amafinius, Rabirius and Catus on Epicureanism, for which see my ed. of the Academica, p. 21 sq. Probably they were only a little older than Cicero; Catus died in 45 B.C.

8. **de malis:** probably *de* is 'after the pattern of.' This sense of *de* is however unusual in Cic. Possibly *scribere de aliquo aliquid* is like *audire de aliquo*

Quibus ego assentior, dum modo de isdem rebus ne Graecos quidem legendos putent. Res vero bonas verbis electis graviter ornateque dictas quis non legat? nisi qui se plane Graecum dici velit, ut a Scaevola est praetore salutatus Athenis Albucius.

5 Quem quidem locum cum multa venustate et omni sale idem 9
Lucilius, apud quem praeclare Scaevola:

3 dictas: *dictatas* E. 4 praetore: *praetor* AE (teste Iwan Müller). 5 venustate: fort. post hoc verbum excidit *tetigit* (cf. e.g. De Leg. 2 § 9 et De Off. 3 § 8).

aliquid, or *de* may be due to the fact that *scripta* here implies *conversa* (§ 6).

malis Graecis: Madvig's argument that *male* could not be applied to Graecus and paene Graecus Brut. 131 because that adjective is 'definitae notionis' and does not admit of degree, would seem to apply equally to *Graece*. But cf. *semi-Graecus* (Varro and others). *Malus Graecus* for *malus Graecus auctor* seems unparalleled.

Latine...deterius: cf. Tusc. 3, 20 male Latine videtur, sed praeclare Accius (sc. scripsisse); Brut. 210 Curio...Latine non pessime loquebatur; below, 2, 19.

1. rebus: Cic. always assumes that no Epicurean writes well; but Stoic literature may be read, whatever the style (3, 19). There is a slight ellipse for *Gr. qui de isdem rebus scripserunt*.

2. res...dictas: *scriptas* might have been expected, but cf. 3, 19 istius modi res dicere ornate velle.

3. plane Graecum: so 3, 5 eorum...qui se Graecos magis quam nostros haberi volunt.

4. Scaevola: the augur, who appears to have been praetor in 121 B.C., and became consul in 117. At the time of the interview imagined by Lucilius (or worked up from Scaevola's report) Scaevola must have been on his way to Asia. On his return he was prosecuted for maladministration by Albucius, possibly in revenge for ridicule; but he was acquitted. A. was himself afterwards exiled on a similar charge, and again took up his abode at Athens. Cicero twice quotes (De Orat. 3, 171 and Orat. 149) and once again (Brut. 274) refers to lines of Lucilius ridiculing the artificial and affected style of Albucius. Cicero also mentions speeches by him as extant (Brut. 131), calls him *perfectus Epicureus*, and 'doctus Graecis vel potius paene Graecus' (ib.). There is a curious passage of Fronto (p. 114 Nab.) in which he is connected with Lucilius and Lucretius as a poet. But the mention of Lucilius in Fronto may fit

in with the Luciliano character of libelli of Varro r. 1. 3, 2, 17 (where the author is *apprime doctus*). The *aridus* of Fronto also fits in well with the passage of Varro. Too much stress, however, must not be laid on the passage in Fronto who goes on to refer to Pacuvius, Accius, Ennius (and other poets of the Republic). Cic. in N.D. 1, 93 hints that Albucius had written on Epicureanism, and had vilified philosophers of other schools. Possibly he supported Epicureanism in verse.

praetore: there is no proof that Albucius went to Asia as *propraetor* or as *praetor*. The word *praetor* is of course often loosely used with the sense of *pro praetore*.

5. locum: the word indicates that the whole subject of Graecomania was dealt with by Lucilius in the poem from which the passage specifically touching Albucius is quoted. The omission of a verb with the sense of *persequitur, tractat*, is, as Madvig rightly declares in an important note, inconceivable. I suggest adding *tetigit* between *venustate* and *et*, where it would easily fall out. The insertion by A² of *dicit* after *Scaevola* seems to support my conjecture. For *locum tangere* cf. Leg. 2, 9; Off. 3, 8.

cum...omni: *cum* may be due to ditto-graphia after *lo-cum*. Cicero does not as a rule insert the preposition where an epithet is attached to the noun, excepting where the phrase refers to some concrete and visible fact: so Verr. 2, 4, 54 maiorem partem diei cum tunica pulla sedere solebat et pallio; cf. below, 4, 60 (where, however, *cum* is necessary). I do not know why Madvig pronounced in his note *fide amicitiam colere* to be bad Latin. Cic. says in Quint. 26 veritate amicitia, fide societas, pietate propinquitas colitur. Cf. Acad. 2, 1 magna cum gloria persecutus inimicitias.

The collocation is usually *summa cum* (as in Rep. 2, 56) but there are examples to the contrary. In many passages, if *cum* were not inserted the

Graecum te, Albuci, quam Romanum atque Sabinum, Municipem Ponti, Tritani, centurionum, Praeclarorum hominum ac primorum signiferumque Maluisti dici. Graece ergo praetor Athenis, Id quod maluisti, te, cum ad me accedis, saluto: 'Χαίρε,' inquam, 'Tite!' lictores, turma omnis cohorsque: 'Χαίρε, Tite!' Hinc hostis mi Albucius, hinc inimicus.

5

2 Tritani: *Tiranii* A¹; *Tritannii* A²P; *Ponti Titi et Anni* Baehrens. 6 cohors-que: *chorus* *ceu* Baehrens, non bene; *chorusque* codd. et edd. ante Manutium.

ablative would be ambiguous, and might be taken for instrumental or some other kind of dative, cf. e.g. N.D. 2, 101. In some other passages there seems no such reason, as N.D. 2, 97.

A curious passage is Verr. 5, 28 erant autem convivium non illo silentio praetorum populi Romani, neque eo pudore qui in magistratum convivium versari solet, sed cum maximo clamore atque convicio.

Cf. ib. 5, 158 quo dolore animi dicam with e.g. Rab. Post. 45 quanto hoc dixi cum dolore.

Compare also Verr. 2, 51 Syracusis Marcellia tolluntur maximo gemitu civitatis, with 4, 76 magno cum luctu et gemitu totius civitatis multis cum lacrimis lamentationibusque virorum mulierumque omnium simulacrum Dianae tollendum locatur.

Similarly Font. 23 and Flacc. 10 (pudore); Phil. 7, 8 and Rab. Post. 5 (spe); Sull. 61 and Imp. Pomp. 69 (studio).

1. *atque*: it is hardly likely that *atque* is here substituted for *aut*. Rather *Romanum* means 'Roman citizen' and *Sabinum* is introduced because Sabines were reputed the simplest and severest of all the Roman burgesses; perhaps also Albucius may have been connected by birth with the Sabine country. See the inscription from Novaria quoted in Forcellini's *Onomasticon* s.v. *Albucia*. She was priestess of a 'diva Sabina' (C.I.L. 5, 6514).

2. *Ponti, Tritani*: proverbially strong soldiers. Pontius is no doubt the centurion T. Pontius mentioned as a mighty man of muscle in Cato m. § 33, whence Baehrens derives in part his correction of the text here to *Ponti Titi et Anni*. The centurion Tritanus is unknown, but a gladiator of that name is mentioned by Solinus 1, 75 and Vopiscus, Firm. c. 4, and Plin. n. h. 7, 81 (if in the last passage *Tritanus*, read by some edd., be a true correction of the reading of the mss., which is *Tribunianus*). The difficulties of the passage are discussed fully by Marx in his work on Lucilius, pp. 41 sq. Centurions were

partly chosen for their strong physique; cf. Veget. 2, 14 centurio eligendus est qui sit magnis viribus et procerastatura; Cic. Phil. 8 §§ 9, 26 lacertosi centuriones. The 'brawny captain' often figures as typical 'Philistine'; see Pers. 3, 77 and 5, 189; Juvenal 14, 194 and 16, 17. In Tusc. 4, 55 the *centurio* and the *signifer* are contrasted with the *constans vir ac sapiens*.

3. *primorum*: nothing is gained by assuming (as L. Müller does) that this is from *primores* (fighters in the front rank) rather than from *primi*. As Madvig shows *homines primi* is a not uncommon phrase. Cf. Virgil, Aen. 4, 133 and 9, 453; Ovid, Pont. 1, 4, 33 primos telluris Achivae, and Ad Herenn. 4, 19, 68 primus in civitate (for the usual *princeps*); and elsewhere. As Madvig says, the rank of centurion in country towns constituted a title to a sort of 'rustica nobilitas,' to which the line of Horace bears testimony: magni pueri magnis e centurionibus orti (sat. 1, 6, 73). For the close association of the *centurio* and the *signifer* cf. Liv. 10, 36, 10; Polybius 6, 24, 6: and for the *nobilitas* of the *centurio* cf. Cic. Att. 5, 20, 4 centurionem primi pili nobilem sui generis Asinium Dentonem (on which passage some commentators have made unnecessary difficulty). Perhaps Lucilius was thinking of those select centurions to whom the expression 'primi ordines' applied (see Marq. v, 359 sq.) and who are called 'centurionum primi' by Tacitus hist. 2, 89.

signiferumque: these were, it seems, not usually centurions but (with the *optio* = *ὀπαγός*) sub-centurions. Marquardt has little or nothing about them. Cf. Liv. 8, 8, 18; 10, 36, 10 centuriones signiferique; and see Polyb. 6, 24, 6.

4. *maluisti*: see L. Müller, De re metr. p. 299 sq. (*maluisti* trisyllabic, twice in Lucil., also *genua*, *tenuia* disyllabic).

5. *accedis*: for the silent s see L. Müller, De re metrica, pp. 427-9.

6. *lictiores*: sc. eadem dicunt.

turma...cohorsque: the corruption

Sed iure Mucius. Ego autem mirari satis non queo unde hoc 10
sit tam insolens domesticarum rerum fastidium. Non est omnino
hic docendi locus, sed ita sentio et saepe disserui, Latinam lin-
guam non modo non inopem, ut volgo putarent, sed locupletio-
rem etiam esse quam Graecam. Quando enim nobis, vel dicam aut

Lucretius

1 mirari satis: satis om. codd. omnes; supplevit Orellius post P. Manutium;
rimari Allen et Baiter: non mirari non queo Boeckel. 4 non om. ABE.

in the mss. points (as Ursinus said) to the spelling *chors* for *cohors* in the archetype. The *cohors praetoria*, the special guards of the general, included both cavalry and infantry, but the word is here used of the infantry portion only. For *turma* cf. Sall. Jug. 98, 1. The same contrast in pro Marcell. 7 nihil sibi ex ista laude centurio, nihil praefectus, nihil cohors, nihil turma decerpit (the only occurrence of *turma* in the speeches). The jest of Scipio about *turmalis* in De Orat. 2, 262 seems to be somewhat misunderstood by editors (see Wilkins *ad loc.*). Scipio compared the other statues to the equestrian members of a general's suite. *Hostis* and *inimicus* are combined in Att. 2, 19, 3.

1. *sed...autem*: the force of the *sed* is not easy to see. It is not resumptive, and the adversative idea is excluded. Probably *et* should be read. Cicero seems not to write *sed...autem*, though *sed...vero* occurs, and *ast...autem* in 'Prognostica,' 160. In Comedy we have *sed quid autem*, and once in Virgil (Aen. 2, 101). There are two suspicious passages of Plautus (untouched by editors) in which *sed...autem* occurs in the mss., viz. Bacch. 519 and Rud. 472, where the true reading seems to be: *sed hanc quid autem si hinc abstulerit quispiam*.

mirari satis non queo: the formula is common in Cicero and occurs elsewhere, as in Plin. n. h. 14 § 2; Sall. or. Lepid. § 2. The form *non mirari non queo* is unknown; and *rimari* (conjectured here by Allen), common in some writers, as Quintilian, is used by Cicero once only (De Div. 1, 130). *Queo* occurs in ten passages of the speeches and about twenty-eight of the phil. works, all with negatives or in sentences equivalent to negative. In all the passages *queo* is in pres. indic. or subj. *Non queo* stands for *nequeo* in Cicero; and other parts are rare. He has *nequeo* only in a quotation (Tusc. 2, 24). The verb occurs only once in the speeches (*nequeamus* in Verr. 3, 21); of the eighteen exx. in the philosophical works fifteen are in present indicative or subjunctive, two in im-

perfect subjunctive, one in pluperfect subjunctive. Cicero avoids both *quis* and *nequis*, both *quit* and *nequit*, *quimus* and *nequimus*; *nequitis* he has once (Rep. 6. 19). The unsuitability of *rimari* is shown by Madvig.

unde: i.e. the feeling which gives rise to distaste for home products; i.e. Graecomania. *Mirari* is 'to express wonderment.'

3. *disserui*: so 3, 5 saepe diximus; but the statement is not to be found in any of the extant works written before the De Finibus. Cic. may be referring to some lost work, as the Hortensius, or to his conversation (see a passage of Apuleius de Deo Socr. 113, where he speaks of Latin and Greek much as Cicero here). The opinion as to the superior richness of Latin is given below, 3, 5; also N.D. 1, 8; Tusc. 2, 35 (O verborum inops interdum, quibus tu abundare te semper putas, Graecia); 3, 10; 4, 10; cf. however below, 3, 51. The claim made for the Latin language is not so absurd if the rivalry be restricted to the contemporary Greek. Cicero's words in speaking of the wealth of Latin often look like an answer to the wail of Lucretius about the *patrii sermonis egestas* (1, 139 and 832; 3, 260) on which see Munro's remarks in ed. 3, vol. II, p. 306 sq. (ed. 4, p. 10). Plin. ep. 4, 18, 1 backs Lucr.; likewise Seneca ep. 58, 1 quanta verborum nobis paupertas, immo egestas! Cf. also Sen. contr. 10, 4, 23 Latinam linguam facultatis non minus habere, licentiae minus; Sen. dial. 11, 2, 6 Graecae linguae gratia, Latinae potentia.

4. *non inopem*: the insertion of the *non* is an absolute necessity. *Non modo* cannot stand for *non modo non*, excepting where *sed* is followed by *ne...quidem*. As to the matter see 3, 5 n.

5. *vel dicam*: Madvig quotes exx. of this corrective formula from Fam. 4, 7, 3; Att. 9, 7, 1; Brut. 207 and 246; Phil. 2, 30; Suet. Cal. 13; also *vel dicam amplius* in Varro L. L. 8, p. 106 Bip. Add Cael. 75; there seem to be no other parallels in Cicero.

oratoribus bonis aut poetis, postea quidem quam fuit quem imitarentur, ullus orationis vel copiosae vel elegantis ornatus defuit?

IV. Ego vero, cum forensibus operis, laboribus, periculis non deseruisse mihi videor praesidium in quo a populo Romano locatus sum, debeo profecto, quantumcumque possum, in eo quoque elaborare ut sint opera, studio, labore meo doctiores cives mei, nec cum istis tanto opere pugnare, qui Graeca legere malint,

4 cum: ita codd. omnes: quoniam edd. fere omnes.
6 sum...possum: sim...possim, multi, errore vulgatissimo.
tantopere A et P (ut semper); item magnopere.

5 videor: videtur AFP.

8 tanto opere:

1. postea quam, etc.: i.e. after a few writers had demonstrated the richness of the language. For the words cf. Quint. 10, 2, 3 hoc ipsum quod tanto faciliorem rationem rerum omnium facit quam fuit eis qui nihil quod sequerentur haberent.

2. orationis: λέξεις, 'style,' elegantis: the word indicates compactness, clearness and terseness rather than tasteful literary quality. Cf. my note on Cato M. 13.

ornatus: 'equipment' rather than 'decoration.'

4. cum forensibus: the editors practically all change cum to quoniam; but cum is in all the mss. and, as it is not demonstrably erroneous, I think it may be retained. The causal cum with the indicative has been elaborately treated by Prof. W. Gardner Hale in his work on 'cum-constructions' (Cornell Studies in Classical Philology, 1887). He, rightly I think, regards the usage as one that was dying out in Cicero's time, and one that would be regarded by his contemporaries as somewhat archaistic. Passages in the De Finibus which have to be considered in this connexion are in 1, 24; 1, 33; 1, 41; 1, 49; 2, 61; 5, 57. See C. F. W. Müller's note to the text of In Verrem 2, 2, 141. Madvig rightly castigates the ignorance of those who (with Bremi) defend cum...videor by saying that the indicative is used because the fact is certain.

operis: the plur. as here in Sull. 26; Verr. 2, 173; but forensis opera of long-continued activity in public business, in Acad. 2, 2; Div. 2, 142. The abl. is one of means or instrument.

periculis: here of actual dangers incurred by Cic., and not with reference to criminal trials in which he was engaged.

5. praesidium: φρουρά in Plato Phaedo 62 B means a prison; but cf.

Cato m. 73 vetat Pythagoras iniussu imperatoris, id est dei, de praesidio et statione ('guard post') vitae discedere. Cf. what Cic. says of himself in Acad. 2, 6; and of Cato in Fin. 3, 7.

6. locatus sum: the reading sim appears to be quite possible according to Cicero's usage. But possim below cannot be right. For the matter that follows cf. Acad. 2, 6.

profecto: not dogmatic but marks merely conviction of speaker. See Landgraf on Rosc. Am. p. 194.

quantumcumque possum: see n. on 3, 58.

7. elaborare: Halm (p. 446 of Orelli, ed. 2, vol. 1), I believe wrongly, questioned whether it is sound Latin to say in eo elaborare or id elaborare followed by ut of purpose (the ut in 4, 30 below is different). In Verr. 2, 1, 31 (see C. F. W. Müller ad loc.) elab. has the best mss. support; ib. 3, 130 the Vatican palimpsest gives it as against the other mss.; in Tull. 1 the mss. are divided, and in De Inv. 2, 74. Where laborare in aliqua re occurs it seems to mean not so much to expend toil on a thing as to distress oneself over it. This sense clearly comes out in Pro Quinct. 43 and 59; N.D. 3, 62. Hence elaborare is to be preferred in Verr. 2, 4, 82. Elaborare in aliqua re me... is in some texts of imp. Pomp. 20 (but mss. there give lab. which C. F. W. Müller keeps). Editors are often inconsistent. Thus C. F. W. Müller changes labor. to elab. in Verr. 2, 3, 124, but leaves it in a similar passage (Fam. 2, 4, 2). Landgraf on Rosc. Am. p. 224 is wrong in calling condiscipulus 'vulgar' Latin. It is used here to avoid ambiguity.

8. tanto opere: through the omission of the correlative, this becomes merely a stronger magno opere; as tantus is often the equivalent of permagnus.

modo legant illa ipsa, ne simulent, et eis servire qui vel utrisque litteris uti velint vel, si suas habent, illas non magno opere desiderent. Qui autem alia malunt scribi a nobis, aequi esse 11 debent, quod et scripta multa sunt, sic ut plura nemini e nostris, 5 et scribentur fortasse plura, si vita suppetet; et tamen, qui diligenter haec, quae de philosophia litteris mandamus, legere assueverit, iudicabit nulla ad legendum his esse potiora. Quid est enim in vita tanto opere quaerendum quam cum omnia in

1 ne: *nec* Orellius.

7 nulla: *ullam* E.

malint: 'poterat expectari indicativus de certo genere hominum ante notatorum,' Madvig. The difference between indicative and subjunctive is merely that between 'those who' and 'any who.'

1. **modo legant, ne simulent:** as Madvig says, when *legunt non simulant* is covered by *modo*, the dividing *non* naturally turns to *ne*. But I know no exact parallel. Acad. 2, 87 videantur sane, ne adfirmetur *modo*, quoted by Beekel, is quite different; see my n. there. Cf. Varro r.r. 2, 2, 7 stabula idoneo loco ut sint, ne ventosa. But it can hardly be said that *nec*, read by many older editors, is impossible. If it be true (as it is) that the prohibitive *ne* is sometimes continued by *neque* instead of *neve*, there can be no inherent error in continuing by *nec* the concessive *modo*. The fact that in *ne...neque* the negative occurs in both words, and in *modo...nec* only in one is not essential. Or, to put it differently: if Cic. can cover by an *ut* two verbs linked by *et*, why not two linked by *nec* when *modo* is the covering conjunction?

utrisque litteris: 'literature in both languages.'

2. **habent:** the indicative in the midst of subjunctives, and particularly in a conditional clause, is, as many editors have noticed, very strange. Considering the state of the mss. there is much to be said in favour of reading *habeant*. See C. F. W. Müller on De Orat. 1, 104.

3. **desiderent:** cf. Acad. 1 § 12.

qui autem, etc.: the works of course consisted mainly of speeches; cf. Orat. § 108 (after a reference to his orations) nemo enim orator tam multa ne in Graeco quidem otio scripsit quam multa sunt nostra. As Madvig remarks, Varro had no doubt surpassed Cicero in the whole compass of his writings.

aequi: cf. § 15.

4. **sic ut:** the *ut* must be consecutive here and thus different from that in N.D. 1, 49 sic tractet ut manu and N.D. 1, 81. *Sic ut* (consecutive) come together in 5, 27 but without ellipse; so Tusc. 3, 27; Fin. 4, 28.

nemini: the dat. is a little curious after *a nobis*, and *a nullo* might have been expected. In the prose of the best period the dative is rare with any part of the passive verb other than the participle. Many passages have been quoted, as illustrating this usage, which are really not pertinent. Thus *cognitus mihi* is to be set beside *mihi amicus, familiaris*; so too *cui non hoc auditum?* Also the dative after gerundive. Such usages as these form a connecting link between the dative of the agent and other datives. The *dativus commodi* has also influenced the passive construction. Thus *pertractata mihi sunt haec* (De Or. 2, 146) is 'I have gotten these things handled,' cf. *probatum alicui* in § 12. Those instances in Cic. where the dative occurs out of connexion with a participle, generally involve verbs of such a character that the idea of a 'dativus commodi' is possible. The commonest verb so used is *quaerere*. Tillmann in Acta Erlang. 11, 71-140 has exhaustively treated this subject and rightly contends that the construction developed naturally in Latin and is no Graecism.

5. **et tamen:** 'and apart from that'; see n. on § 15.

6. **diligenter:** the word implies not industry but close attention to detail.

7. **his:** after *haec* above, *eis* would have been more usual; see n. on § 2.

8. **om. in philosophia:** *om. quae sunt in philosophia* might have been expected; cf. De Or. 3, 79 *haec quae sunt in philosophia*. Classical Latin had no adjective connected with *philosophus*; see my n. on Acad. 1, 9.

philosophia, tum id quod his libris quaeritur, qui sit finis, quid extremum, quid ultimum, quo sint omnia bene vivendi recteque faciendi consilia referenda, quid sequatur natura ut summum ex rebus expetendis, quid fugiat ut extremum malorum? Qua de re cum sit inter doctissimos summa dissensio, quis alienum putet 5
12 eius esse dignitatis, quam mihi quisque tribuat, quid in omni munere vitae optimum et verissimum sit exquirere? An, partus ancillae sitne in fructu habendus, disseretur inter principes

1 qui Orelli: quis A: quid BE.

1. **qui sit**: it is impossible to say whether Cic. wrote *qui*, *quis* or *quid* here. There are abundant analogies elsewhere for all three. Our mss. afford of course no trustworthy evidence on such a point. Cf. 4, 5 (A *qui*, cett. *quis*); ib. 14 (where mss. evidence is in favour of *quis*, but edd. read *qui*). Madvig's view that *extremum*, *ultimum* are adjectives is not necessarily true.

2. **extremum...ultimum**: representations of τέλος: cf. §§ 29, 42; 2, 5; 3, 26. **quo...referenda**: Cic. thus constantly expresses the Greek ἀναφέρειν or ἐπαραφέρειν τι εἰς τι, 'to judge of something by some standard.'

bene vivendi: εὐδαιμονίας. The word is more often represented by *beate vivere*, as below, §§ 57, 65 and frequently. Often both adverbs are combined in *bene beateque vivendum*, as above, § 5 and below, § 14.

4. **expetendis**: thus Cic. renders αἰρετόν, the word regularly applied by the later Greek philosophers to all things which are included in the τέλος. The opposite φευκτόν is rendered by *fugiendum* (below).

5. **quis...putet**: the question is asked although Cicero has asserted above that such persons do exist; see n. on § 1.

alienum ... dignitatis: this gen. occurs in many authors. Imitation of the Greek construction with ἄλλοτριος has been supposed by some scholars, but improbably. Cf. Acad. 1, 42 al. adsenionis; Fin. 5, 78 alienum naturae; similarly N.D. 2, 77. The abl. with *ab* is of course common after *alienus*; the abl. without *ab* is given by the mss. in Div. 1, 82; 2, 102; 2, 105; Quinct. 66; 98; Verr. 5, 173; Tull. 5; Leg. Agr. 2, 65; Phil. 11, 16 and 21; and perhaps in a few other passages, but considering the state of the mss. and the analogies in Cicero, can hardly be regarded as certain. The dative in Caec. 24 ex illa parte id dicit quod (illi) causae sit

alienum is a rare, perhaps an isolated example of the dative (if the text be sound) and *illi* may well be an error for *illius*. Cf. *ambitioni alienus* in Sen. n. q. 4, 1, 1.

6. **tribuat**: So A¹. Madvig remarks that *tribuit*, with *quid alienum putem* above (favoured by Davies and Ernesti), would lead to this conclusion, 'ut Cicero certam quandam dignitatem ab omnibus tribui dicat, satis arroganter.' The assertion, arrogant or not, is involved in what was said in § 1. Madvig further lays down that *quisque* is never the equivalent of *omnes* but 'semper cum aliqua distributione singulos separatim significat.' The sense here, he says, is 'eius dignitatis quam mihi prose quisque, sive magnam sive parvam, tribuit.' Here the words 'sive magnam sive parvam' are interposed in defence of Cicero's modesty; they are not inherent in Cicero's Latin. It is true that in most instances the distinction between *quisque* and *omnes* is perceptible; but in others it is shadowy (as in § 18 *quidque* and *res quaeque*), and in some phrases like *cuiusque modi* it vanishes altogether. [Madvig's assertion that the nexus of clauses makes *tribuat* a necessity can hardly be accepted.]

7. **munere**: 'task,' 'function.'

an, etc.: for the form of the sentence cf. § 5 n. There is an imitation of the whole passage in Lactant. Inst. 1 c. 1: et si quidam prudentes et arbitri aequitatis institutiones civilis iuris compositas ediderunt, quibus civium dissidentium lites contentionesque sopirent, quanto melius nos et rectius divinas institutiones litteris persequemur; in quibus non de stillicidiis aut aquis arcendis aut de manu conserenda, sed de spe, de vita, de salute, de immortalitate, de deoloquemur, ut superstitiones mortiferas erroresque turpissimos sopiamus?

partus ancillae, etc.: i.e. the question whether, if the owner of a slave-

civitatis, P. Scaevolam, M'.que Manilium, ab eisque M. Brutus dissentiet (quod et acutum genus est et ad usus civium non inutile, nosque ea scripta reliquaue eiusdem generis et legimus libenter et legemus); haec, quae vitam omnem continent, 5 neglegentur? Nam, ut sint illa vendibiliora, haec uberiora certe sunt. Quamquam id quidem licebit eis existimare, qui legerint. Nos autem hanc omnem quaestionem de finibus bonorum et malorum fere a nobis explicatam esse **his litteris** arbitramur, in quibus, quantum potuimus, non modo quid nobis probaretur,

9 modo: om. E.

woman ceded to another the *usus fructus* attaching to her as a piece of property, any child she might bear should be counted as part of the profit of the *ususfructuarius*, apart from explicit agreement, or should pass to the owner. Cf. Ulpian Dig. 7, 1, 68 vetus fuit quaestio an partus ad fructuarium pertineret: sed Bruti sententia optinuit, fructuarium in eo locum non habere: neque enim in fructu hominis homo esse potest (see the context); also Ulpian in Dig. 5, 3, 27; Gaius in Dig. 22, 1, 28; Justin. Inst. 2, 1, 37 (copied from the preceding passage of Gaius), also Scaevola in Dig. 50, 16, 26. For the three lawyers here mentioned cf. Dig. 1, 2, 2, 39 Publius Mucius et Brutus et Manilius qui fundaverunt ius civile. Scaevola is the well-known pontifex; Manilius is the consul of 149 B.C.

8. in fructu: similarly used by Cato Agr. 150, 2.

1. Brutus: for this great jurist see Digest 1, 2, 2, 39.

2. genus: sc. *rerum*, as often.

3. nosque: for the succession *et...et* ...que see nn. on 5, 64.

reliquaue: so in 2, 106. Cicero seems not to have felt the cacophony caused by the repetition of the sound *qu*-; see my nn. on Acad. 1 §§ 1, 5.

5. vendibiliora: 'more fashionable,' more popular'; Brut. 174 (orator) and Lael. 96 (oratio); Brut. 264 populo non satis erat v. (of a person).

6. existimare: = *iudicare*, as often.

8. fere: qualifies *explicatam*: Havet in the Rev. de Phil. vol. xxii, p. 179, objects to *fere* being separated from *a nobis* and calls it (absurdly) pleonastic beside *his litteris*; also to its separation from *his litteris* by the verb on which both depend; and he excises *a nobis* as a gloss due to *nobis*, near at hand.

litteris: Rath, Orelli and others desired to read *libris*, and even Madvig

hesitated. But Goerenz in this instance caught the truth. There is the same difference between *litterae*, as here used, and *libri*, as there is between 'writings' and 'books.' Madvig's contemptuous remark, 'quasi id aliud sit,' is not to the point. Cf. Att. 13, 32, 3 Torquatus Romae est. Misi ut tibi daretur; Catulum et Lucullum antea: his libris nova prooemia sunt addita, quibus eorum uterque laudatur. Eas litteras volo habeas. [Many scholars have believed this passage to be corrupt, chiefly because they have restricted the reference in the word *litteras* to the *nova prooemia*, which they say would not be so indicated. But apparently Cicero chose the word *litterae* just because Atticus had received copies of the 'Catulus' and 'Lucullus' already, with different *prooemia*. He therefore could not very well say *hos libros volo habeas*. Why the new *prooemia* should not be described as 'writings' is hard to see. But apart from that it is quite possible that the word *litteras* embraces also the 'Torquatus' (i.e. the Epicurean part of the De Finibus, which Atticus had not previously seen). Cf. the dispute about the meaning of *Graecis litteris* in Caes. B.G. 5, 48, for which see Rice Holmes², p. 730.] Compare also Brut. 13 where a work by Atticus is first denoted by *litterae* and then by *libri*; also De Orat. 1, 192 litteris...voluminibus; Att. 9, 10, 2 libri...litterae...doctrina; and for *litterae* = 'writings,' the following passages (among a large number): Brut. 19 and 205; Fam. 5, 19, 2; ib. 15, 4, 12; Att. 1, 14, 3 (see Tyrrell); Off. 2, 3; Div. 2, 5; Mur. 28; Arch. 14; Phil. 2, 20. In Verr. 3, 167 litterarum libri = 'letter-books,' i.e. correspondence bound in volumes. Sen. ep. 14 § 11 hae litterae = philosophical literature.

9. quantum potuimus: cf. § 49 quantum efficere possimus.

sed etiam quid a singulis philosophiae disciplinis diceretur, persecuti sumus.

- 13 V. Vt autem a facillimis ordiamur, prima veniat in medium Epicuri ratio, quae plerisque notissima est; quam a nobis sic intelleges expositam ut ab ipsis qui eam disciplinam probant 5 non soleat accuratius explicari. Verum enim invenire volumus, non tamquam adversarium aliquem convincere. Accurate autem quondam a L. Torquato, homine omni doctrina erudito, defensa est Epicuri sententia de voluptate, a meque ei responsum, cum C. Triarius, in primis gravis et doctus adulescens, ei disputationi 10 14 interesset. Nam cum ad me in Cumanum salutandi causa uterque venisset, pauca primo inter nos de litteris, quarum summum erat in utroque studium, deinde Torquatus: Quoniam nacti te, inquit, sumus aliquando otiosum, certe audiam quid sit quod Epicurum nostrum non tu quidem oderis, ut fere faciunt qui ab eo dissen- 15 tiunt, sed certe non probes, eum quem ego arbitror unum vidisse

1 disciplinis: *disciplinae* A¹. 12 de litteris: *contulimus* addit A². 13 nacti te: *hac tite* A²E; *hac die* A². 15 oderis: *oculis* E.

1. *persecuti sumus*: for the word cf. my n. on Acad. 1, 12; for the context, Div. 2, 2 cumque fundamentum esset philosophiae positum in finibus bonorum et malorum, perpuratus est is locus a nobis v libris, ut quid a quoque et quid contra quemque philosophum diceretur intellegi posset.

3. *facillimis*: Cicero often speaks scornfully of the want of depth in the Epicurean writings. See e.g. below § 27 illa perdiscere ludus esset; Acad. 1, 6; Tusc. 4, 6.

4. *quae...quam*: for the repetition of the relative at the head of successive clauses, cf. § 22.

5. *ipsis qui*: n. on 2, 93.

6. *verum invenire volumus*, etc.: the boast of the Academic School; see N.D. 1, 5 and 12; Div. 2, 28; Rep. 3, 8; Off. 2, 7. The words therefore offer no mere apology for the consideration accorded to the Epicureans here, as Usener, Epikurea, p. 264, supposes.

7. *tamquam*: goes with *adv.* only; not with the whole phrase *adv. al. conv.*

8. *omni doctrina*: not merely the *doctrina* of Epicurus.

9. *a meque*: *que* is very rarely attached to *a*.

responsum: for the omission of *est* cf. §§ 3, 18, 59 and n. on Acad. 2, 129. For the form *interesse in* with ablative see Landgraf on Pro Rosc. Am. p. 213.

10. *adulescens*: apparently much younger than Torquatus.

11. *ad me in Cumanum*: for the prepositions cf. 5, 96 in oppidum ad Pompeium perreximus; pro imp. Cn. P. 46 ad Cn. Pompeium in ultimas prope terras venerunt; Pis. 77 omnes ad eum... in Albanum venerant. Many other exx. may be found; some are given by Clark on *Mil.* 51. The tendency in Latin to change the preposition instead of repeating it is very strong. See n. on 2, 12.

12. *pauca primo*: sc. *locuti sumus*; cf. 3, 8 deinde prima illa quae in congressu solemus; and my n. on Acad. 1, 2.

14. *otiosum*: the outset of the discussion in De Rep. 1, 14 is similar (te autem permagnum est nancisci otiosum, etc.).

15. *oderis*: Tusc. 1, 77 Epicureorum, quos equidem non despicio, sed nescio quo modo doctissimus quisque; ib. 3, 50 et queruntur quidam Epicurei... me studiose contra Epicurum dicere.

ut fere, etc.: 'as those who disagree with him generally do,' not 'as most of those who disagree with him do'; cf. N.D. 1, 23 ut fere dicitis.

16. *eum quem*: for the adversative force, introducing something in sharp contrast with what precedes cf. § 57; Sest. 75; Nägelsbach, Stilistik, § 190, 2.

unum vidisse verum: the constant boast of the Epicureans. Cf. e.g. Lucian, Alex. c. 61 Ἐπικούρῳ ἀνδρὶ ὡς ἀληθῶς

verum maximisque erroribus animos hominum liberavisse et omnia tradidisse quae pertinerent ad bene beateque vivendum. Sed existimo te, sicut nostrum Triarium, minus ab eo delectari, quod ista Platonis, Aristoteli, Theophrasti orationis ornamenta 5 neglexerit. Nam illud quidem adduci vix possum ut ea quae

ιερώ και θεοσεσίω την φύσιν και μόνω μετ' ἀληθείας τὰ κατὰ ἐγνωκότι και παραδεδοκότι και ἐλευθερωτῇ τῶν ὁμιλησάντων αὐτῷ γενομένω: ib. 25 and 47; Cleomedes 2, 1 (p. 164, ed. Ziegler) οὗτος δὲ ὑπὸ πολλῆς τῆς σοφίας και ἐπιστήμης μόνος ἀνευρηκέναι την ἀλήθειαν διαβεβαιούται: Lucretius *passim*.

1. **erroribus**: it has been proposed to read *terroribus* as in N.D. 1, 56 his *terroribus* ab Epicuro soluti et in libertatem vindicati. But in § 43 three liberations are said to be conditions of *voluptas*: (1) freedom from *terrores*; (2) from *cupiditates*; (3) from *opinionum temeritas*. Here *erroribus* refers back to *unum vidisse verum*, while *omnia* includes all the three necessary liberations. Cf. § 42 errore maximo libera-buntur.

2. **pertinerent**: the subj. is of course a necessity here.

3. **sicut...Tritarium**: 2, 8 quam ceteros: the attraction in the parenthetic clause where the verb is omitted is common but mostly occurs after relatives or relative particles, as 4, 56; cf. 3, 64 quod deceat cariores nobis esse patriam quam nosmet ipsos; Cato m. 1 te suspicor isdem rebus quibus me ipsum interdum gravius commoveri; ib. 26; Div. 2, 61; N.D. 1, 86; T.D. 5, 63 poem tragicum, quam bonum, nihil ad rem (a rare example of attraction in a dependent clause); Leg. 1, 52; Verr. 3, 215; Fam. 5, 7, 3; pro Ligar. 2; in Pis. 79; many instances are in Livy, some of which are given by Weissenborn in n. on 29, 31, 2. With *ut* (as), *sicut*, *ceu* and the like the nominative often remains unattracted; see Lachmann on Lucret. 3, 614; Munro on 3, 456. Other examples of a somewhat similar attraction are given below in n. on 2, 88; cf. also 4, 20 n. (*potius quam* with infin.). In Fam. 5, 7, 3 we have examples of attraction and no attraction in the same sentence.

ab eo delectari: Davies denied the Latinity of this rare construction, but Madvig, quoting parallels from Div. in Caec. 44, Orat. 195, Brut. 193, Rep. 3, 42, thus defines: 'delector aliquo est

universe: *probo, placet mihi; delector autem ab aliquo est: delectationem mihi (aliquo temporis momento) parit*"; i.e. the preposition lays stress on the fact that some activity or effect proceeds from the person or thing in question. But where *ab* goes with a personal noun, agency is implied, and where (as in Orat. 1.1.) the noun is non-personal, there is personification, for which see n. on 4, 17. For *delectari* followed by *in* cf. n. on § 39.

4. **Aristoteli**: this form of the gen. of Greek names in -ης is frequently given by the better mss., where the inferior add the final s. For the facts see Neue 1², 332. There is good reason to believe, with Madvig, that Cic. used only the form in -i. Cp. § 4 Euripidi.

Theophrasti orationis orn.: the two words *orationis ornamenta*, 'stylistic adornments,' must be taken together and the gen. made dependent on the notion conveyed by the two. For the two genitives juxtaposed, where one is dependent on the other, Madvig quotes Brut. 163 Scaevolae dicendi elegantia; Tusc. 4, 31; Off. 1, 43; add below 3, 51; Ligar. 12 studia denique generis ac familiae vestrae virtutis; Fam. 1, 1, 3 suspicionem Pompei voluntatis; N.D. 2, 156; Tusc. 3, 38 habes formam Epicuri vitae beatae; ib. 1, 28; 4, 13; Att. 4, 1, 2. But more commonly the two genitives are separated either by the governing word or by some other word or words, as in Verr. 5, 131 multorum naufragia fortunae; Leg. 2, 42; Att. 2, 4, 7; etc. Cicero, like Tacitus and some other writers, often combines a subjective and an objective genitive in dependence on the same noun; see Ellendt on De Or. 1, 219; and the index to Mayor's ed. of the N.D. sub v. 'genitive.'

5. **illud adduci**: for the pronominal accus. cf. Att. 7, 3, 8 id quod animum induxerat (wrongly attacked by some scholars); Draeger, Hist. Syn. 1², 376. It is rightly compared by Madvig with the pronominal accusative in such phrases as *hoc irascor, illud tibi assentior, quod quidam auctores sunt, id operam do*

15 *senserit ille tibi non vera videantur. Vide quantum, inquam, fallare, Torquate. Oratio me istius philosophi non offendit; nam et complectitur verbis quod volt, et dicit plane quod intellegam;*

Cf. Phil. 8, 30 *illud non adducor, ut credam esse quosdam*, where many edd. wrongly punctuate after *credam*.

adduci...ut videantur: brief for *ut existimem...videri*. The full expression occurs (as Madvig points out) in Att. 11, 7, 3 *si me adduxeris ut existimem me bonorum iudicium non funditus perdidisse*; add Fam. 2, 10, 1; N.D. 2, 17 *non possis adduci ut putes*; Lael. 59; Parad. 14; Phil. 1, 33; 8, 30. Other instances from Plin., Liv., Val. Max., Suet., are given by Krebs-Schmalz, *Antibarbarus*, s. v. *adduco*; Liv. 2, 18, 6; 4, 49, 10; 6, 42, 6. The exact parallels to the present passage quoted by Madvig are a passage below in 4, 55 and Lucr. 5, 1341 *vix adducor ut qulerint* (a spurious line), and I cannot add to these. Madvig gives passages where the *ut*-clause is replaced by accusative and infinitive, as Att. 11, 16, 2 *sed ego non adducor quemquam bonum ullam salutem putare mihi tanti fuisse...*; Leg. 2, 6; Cluent. 104; Curt. 10, 10(2,19); Festus v. *Oscos*, p. 198 M.; add Div. 1, 35. The following similar abbreviations are noted by Madvig: Sull. 40 *nec vero possum meo ingenio tantum dare ut tot res...dispexerim* (i.e. *me dispexisse credam*); and *ratio cogit verum esse for ut credamus verum esse*, as below, 3, 42, and often; Leg. Agr. 3, 3 *numquid est causae quin illa criminatione...vestram diligentiam prudentiamque despexerit* (i.e. *despexisse iudicetur*); De Or. 1, 115 *neque haec ita dico ut ars aliquos limare non possit*; Pro Marcello 34; Att. 10, 18, 3 *conficior...venisse tempus*; Leg. 3, 33 *ego in ista sum sententia...nihil ut fuerit in suffragiis voce melius*; Fam. 15, 2, 8 *hac opinione ut...meus adventus liberarit*; and similar ellipses with *definire ut* (5, 90); *efficere ut* [add *describere ut*, Tusc. 4, 20; and the same verb with acc. and infin. De Or. 2, 138; also similar ellipses with *restat ut*, *relinquitur ut* and other like phrases, such as *pugnare* with acc. and inf., for which see below, 3, 41]; *constituere ut*, below 2, 11; 2, 75 (*nomen imponis in motu ut sit*); *sequi ut* 3, 55; 5, 46. Not essentially different are § 31 cum...permulta dicantur cur nec voluptas in bonis sit numeranda nec in malis dolor; 2, 70 quid affers cur...Thorius vixerit; N.D. 3, 79; Tac. An. 4, 57 plerumque per-

moveor num ad ipsum referri verius sit (i.e. *permoveor ut ambigam*); ib. 16, 16 should probably be struck out—see Furneaux and Nipp. (Draeger reads *oderint*)—*neque aliam defensionem ab eis quibus ista noscentur, exegerim, quam ne oderim tam segniter pereuntes* (sc. *odisse dicar*). Cic. Div. 2, 41 *vide quam temere committant...ut nulli sint di*; ib. 2, 127; Acad. 2, 68 *nitamur igitur nihil posse percipi*; Plaut. Mil. 332 *me nemo homo deterruerit quin ea sit in his aedibus*. C. F. W. Müller, in his *Plautinische Prosodie*, p. 577, so interprets Plaut. Epid. 550 *si ego te novi, animum inducam ut noveris* (i.e. *ut credam te novisse*); cf. Poenul. 877 *animum inducam facile ut tibi istuc credam*. The poets put brevity to a further use still; thus Lucr. 3, 765 *scilicet in tenero tenerascere corpore mentem confugient* = *ad id confugient ut dicant tenerascere*; ib. 2, 1128 *fluere...manus dandum est* (= *m. d. est et concedendum*); Ovid, Fast. 5, 74 *hinc sua maiores tribuisse vocabula Maio tangor*; Hor. sat. 1, 4, 115 *sapiens vitatu quidque petitu sit melius, causas reddit tibi; Aetna 392 atque hanc materiam penitus discurrere fontes, infectae rumpuntur aquae radice sub ipsa*.

2. **oratio:** see most of the ancient opinions concerning the style of Epicurus collected in Usener's *Epicurea*, pp. 88 sq. The adverse verdicts rest on two things: (1) the contempt shown by Epicurus for the teaching of the rhetoricians about style; (2) his introduction of novel technical terms. Cicero speaks of his diction as *volgaris* (Acad. 1, 5) which merely implies the absence of technique (cf. Ad Herenn. 4, 69). But although Epicurus repudiated the teaching of the professed rhetoricians, as he did that of the professed dialecticians, yet he had his own views about rhetoric, and wrote of it, just as he had his own views of logic. He inculcated lucidity (*σαφηνεια*); see Diog. L. 10, 13. Usener (pref. pp. xli, xlii) detects a good deal of art in some of the extant writings of Epicurus.

3. **quod intellegam:** 'language such that I understand it.' But in 2, 21 plane dicit quod intellegit (Epicurus); ib. 16 (Hieronymus) quid dicat intellegit; cf. Tusc. 2, 44. These passages lend some

et tamen ego a philosopho, si afferat eloquentiam, non asperner, si non habeat, non admodum flagitem. Re mihi non aequè satisfacit, et quidem locis pluribus. Sed quot homines, tot

3 satisfacit: *satisfecit* codd. omnes.

colour to the supposition that Cicero wrote here *intellegat* or *intellegit*; the reading of A, *quam intellegam*, may betray the cause of the corruption, viz. that *quod* was accidentally changed to *quam*, *intellegam* following suit; *quam* was then seen to be wrong and corrected. But *intellegam* is supported by § 26 quid ei reliquisti nisi te, quoquo modo loqueretur, intellegere quid diceret. The question, however, remains whether the subjunctive is correct; the true reading may be *intellegit* or *intellegimus*.

1. *et tamen*: 'tamen Cicero dixit, quod generalem sententiam de ea re adiungit, de qua quaeri non necesse sit, cum iam concesserit Epicurum satis bene loqui' (Madvig). The reasoning is hard to follow. It is not the special statement which makes it unnecessary to argue about the general statement, but *vice versa*. *Et tamen* is often thus idiomatically used when some point is dismissed as of no consequence; here the personal question concerning Epicurus is marked as unimportant because Cicero in the general way cares little about rhetoric in a philosopher. Here *et tamen* puts out of sight a particular instance, in view of a general principle; but the relation of the matter which precedes *et tamen* to the matter which follows need not be of that character. The parallels in the De Fin. will show this, viz. 1 §§ 11, 51; 2 §§ 15, 21, 84; 3 §§ 15, 24. In n. on 2, 84 Madvig thus puts the matter: 'et etiam si illa, quae dixi, defecerint, tamen cet. Itaque refertur particula ad tacitum intellectum et concessionem contrarii eius quod antea positum est.' But there is in these passages no tacit 'concessio contrarii.' *Tamen*, indeed, does not here imply an irreconcilability. The fact which is dropped out of sight is not indicated (even in the way of a momentary concession) as irreconcilable with the fresh fact which is introduced. *Tamen* was not originally and is not of necessity a particle indicating opposition. The idiom of which we have been treating has often been misunderstood by editors. Thus in the famous passage of Cic. ad Qu. Fr. 2, 9 (11), 3 Lucreti poemata, ut scribis, ita sunt, multis luminibus ingeni, multae tamen artis, it has been

assumed that the *art* is affirmed *in spite* of the genius, which appears nonsensical, but *tamen* merely means 'even if the genius were not there.' In Fam. 1, 7, 10 a similar *tamen* is altered by many editors and marked as corrupt by Mendelssohn; the critical note of C. F. W. Müller on the passage supplies other examples of the same misapprehension. See an admirable note by Munro on Lucret. 5, 1177; and Lehmann on Cic. ad Att. p. 195; also my n. on Cato m. 16. [Of course *et tamen* often occurs where *tamen* does imply strong opposition; so 2 §§ 24, 64; 3 §§ 22, 33; 5 §§ 10, 26, 69.]

a *philosopho*: Madv. Em. Cic. p. 50 accounts for the construction by saying that the 'primaria sententia' is a *philosopho non flagitem*, and that the exception, which might have been conveyed by *etsi non asperner*, is expressed in a clause parallel to, and imitating the construction of, the 'primaria sententia.' He quotes Fam. 3, 8, 7 hos ego sermones, quod et multi sunt et tuam existimationem, ut ego sentio, non offendunt, laccessivi numquam, sed non valde repressi. It is obvious here that the chief idea is *non valde repressi quod*, etc., and that *non laccessivi quod* is strictly illogical. Madvig gives other passages of the kind, but it is not necessary to consider them here, on account of a fact which he has overlooked; viz. that *aspernari aliquid ab aliquo*, 'to put away something from a person or thing,' is good Latin in itself. Cf. Clu. 194 cuius ego furorem atque crudelitatem deos immortalis a suis aris atque templis aspernatos confido; Rosc. Am. 153 proscriptionem...a vobis reicitis atque aspernamini; Sen. ep. 121, 21 naturales ad utilia impetus, naturales a contrariis aspernationes.

eloquentiam: so applied in 3, 41 to others than orators, and often.

2. *aequè satisfacit*: the attachment of *aequè* seems to show that Cicero treated *satisfacere* as a compound verb; cf. N.D. 1, 93 turpissime maledicere; Vatin. 29 contumeliosissime maledicere; also n. on 2, 80. But *abunde satis* occurs separately and also *ab. satis facere*. *Aequè satis*, however, could hardly occur alone.

3. *quot homines*, etc.: from Ter.

sententiae; falli igitur possumus. Quam ob rem tandem, inquit, non satisfacit? te enim iudicem aecum puto, modo, quae dicat 16 ille, bene noris. Nisi mihi Phaedrum, inquam, mentitum aut Zenonem putas, quorum utrumque audiui, cum mihi nihil sane praeter sedulitatem probarent, omnes mihi Epicuri sententiae 5 satis notae sunt. Atque eos, quos nominavi, cum Attico nostro frequenter audiui, cum miraretur ille quidem utrumque, Phaedrum autem etiam amaret, cottidieque inter nos ea quae audiebamus conferebamus, neque erat umquam controversia quid ego intellegerem, sed quid probarem.

17 VI. Quid igitur est? inquit; audire enim cupio quid non probes. Principio, inquam, in physicis, quibus maxime gloriatur, primum

3 nisi: *hic* P, alii.

postea in *sedulitatem*).

5 *sedulitatem* dett.: *sed utilitatem* AE et P⁴ (corr.

7 Phaedrum: *Ph. pulchrum* E (cum in quodam codice scriba *phelcrum* scriptum invenisset).

Phorm. 454; cf. Hor. sat. 2, 1, 27 quot capitum vivunt totidem studiorum milia. For the omission of the verb cf. n. on 2, 105 iucundi acti labores.

2. *aecum*: cf. 2, 119 eiuro inicum.

4. *audiui*: as to Cicero's early attachment to Epicureanism, see the Introd. to my ed. of the *Academica*, especially pp. 1, 3. Philodemus, of whose writings much has been preserved in the Herculanian rolls, was a pupil of Zeno, and drew much from him, particularly in the well-known treatise "*περὶ σημειῶν καὶ σημειώσεων*." Cf. *ὁ φιλόσοφος Ζήνων* in roll no. 1012, col. 21 (Scott's *Fragments Herculaniensia*, p. 29).

5. *probarent*: n. on 2, 1 significarent.

6. *atque...audiui*, etc.: as confirmation and expansion of *audiui* above, which, if left unmodified, might have been taken to refer to a single occasion only.

7. *frequenter*: as in 2, 12; 5, 8 and often. Note that Cicero does not express the idea of a repeated action by the perfect *alone*. Sometimes editors have wrongly altered perfects, because they imagined the notion of frequency to be wrongly attached to them by mss.; e.g. Fam. 6, 6, 2 non putarunt seems to be suspected even by C. F. W. Müller; but the sense is 'never (at any one time) supposed.' So e.g. De Or. 3, 52; Parad. 9; fragm. ap. C. F. W. Müller, v, 103.

cum...amaret: the facts are somewhat illogically introduced, as they add nothing to the proof of Cicero's familiarity with Epicureanism.

Phaedrum...amaret: there is the same

contrast between these two in N.D. 1, 93; for Zeno was not lovable; see Tusc. 3, 38.

8. *audiebamus conferebamus*. a rare example of the juxtaposition of two imperfect tenses.

9. *quid ego intellegerem*: dependent clauses whether involving subjunctives or infinitives often depend on substantives, but there is always slight ellipse. Here *controversia*, qua disputabamus. For infinitive clauses dependent on substantives see my n. on Acad. 2, 120. *Excusationem cur* in Fam. 4, 4, 1; Lucan 1, 68 opus followed by quid.

11. *quid igitur est?* Davies proposed to remove the note of interrogation, to bracket *audire enim cupio*, and to change *quid* to *quod*. But in that case *est igitur*, rather than *igitur est*, would have been natural; see n. on § 43. While *quid ergo est?* ('what is the meaning of this?') is common, the form *quid igitur est?* is found only here in the philosophical works and once only in the speeches, viz. Rosc. Am. 36. In a note on the latter passage, Landgraf gives a good deal of information, partly based on Seyffert, *Scholae Latinae*, 1 § 48. Cf. n. on 2, 7 quid ergo?

12. *principio...primum*: the idea of some old scholars that one of these words is superfluous was long since refuted; *principio* refers to the division of philosophy into φυσική, διαλεκτική, ἠθική (for which see my n. on Acad. 1, 19). The second of these divisions is treated in § 22, the third in §§ 23 sq. *Primum* introduces the first of several

totus est alienus; Democritia dicit perpauca mutans, sed ita ut ea quae corrigere volt, mihi quidem depravare videatur. Ille atomos quas appellat, id est corpora individua propter soliditatem, censet in infinito inani, in quo nihil nec summum nec infimum nec medium nec ultimum nec extremum sit, ita ferri ut

1 Democriti adicit: sic E (sec. Madvig); *Democrite adicit* A¹; *Democrito adicit* A².
4 inani: *innatu* E. 5 ultimum: '*intimum* recte videtur coniecisse Jonas in dissert. Berol. 1870' Müller; vid. comm.

objections taken to the φυσική of Epicurus, viz. that he is a plagiarist. The omission of *deinde* after *primum* has numerous parallels not only in Cicero, but in other authors; and there are a good many instances in this treatise. *Primum* twice over in N.D. 2, 142.

quibus maxime gloriatur: see n. on § 63 in physici plurimum posuit.

1. alienus: this sense is developed by contrast from the commoner *suus*, 'original'; cf. 4, 10; 5, 14; Leg. 2, 17 nisi plane esse vellem meus. There is no reason to think (with Iwan Müller, progr. Erlang. 1869) that Cic. here imitated a Greek phrase, πάντα ἀλλότριος. The development of meaning by which *alienus* acquires the sense of 'unoriginal' in Latin is quite as natural as that which attached the same sense to ἀλλότριος. Cf. § 26 aliena dixit in physici. The reproach of plagiarism hurled against Epicurus was widespread in ancient times. Diog. L. 10, 4, quotes as though from several writers: τὰ δὲ Δημοκρίτου περὶ τῶν ἀτόμων καὶ τὰ Ἀριστοῦ περὶ τῆς ἡδονῆς ὡς ἴδια λέγειν, and Plut. Colot. c. 3 asserts that Epicurus called himself ὁ Δημοκρίτειος in early days. According to Cic. N.D. 1, 73 he admitted that he had listened to lectures by Nausiphanes, a pupil of Democritus; nevertheless he is said to have overwhelmed both the pupil and the master with coarse abuse (n. on § 21), as he did almost every other philosopher of distinction. Cic. often repeats the charge about Democritus, as below 2, 102; 4, 13; Acad. 1, 5; N.D. 1 §§ 73, 93, 120. In the fragment περὶ αἰσθήσεως, preserved in one of the Herculanian rolls (Scott, *Fragmenta Herculanensia*, pp. 275 sq.), there seems to be a polemic against the plagiarism of Epicurus, and his 'ungrateful quackery' (ἀχαριστος ἀλαζονεῖα) seems to be condemned.

Democritia dicit, etc.: cf. the closely parallel passage in 4, 13. Boeckel brings two objections against the reading of E: (1) that *Democritia dicere* is a

harsh phrase; (2) that Cicero would have written *perpauca mutatis* not *mutans* (which he thinks has come from § 21). As to (1) the phrase *Democritia dicere* seems to be no harsher than *aliena dicere* (§ 26 and Phil. 2, 42). Objection (2) has nothing in it; *mutans* is just as good as *pauca mutatis* or *cum pauca mutavisset*; cf. e.g. Att. 10, 7, 3 Curio mecum vixit, iacere Caesarem putans... Siciliaeque diffidens, where *cum putaret* might have been substituted; see Kühner, Gram. § 136, 4.

2. ille: as though *Democritus*, not *Democritia* had preceded; see n. on 5, 16.

3. quas appellat: = eas quas atomos appellat; cf. Leg. 2, 5 astu, quod appellatur.

individua: so below 2, 75; the word first occurs in Acad. 2, 55; but ib. 125 atomus is already used as a Latin word. Amafinius, the Epicurean writer, had rendered ἄτομος by corpusculum which Cicero sometimes employs; see Acad. 1, 6 with my n. But Cicero does not use *insecabilia* (Vitruv., etc.). *Dividuum* is as old as Terence.

propter soliditatem: so Cicero connects the words *individua* and *solida* in speaking of the atoms, below § 18; N.D. 2, 93. Galen, de elem. sec. Hippocr. 1, 2, vol. 1, p. 418 K., says that the followers of Epicurus held the atoms to be ἐπὶ σκληρότητος ἀβραυστα, while the school of Leucippus deemed them ἐπὶ σμικρότητος ἀδιαίρετα. The *soliditas* of Cicero is the *solida simplicitas* of Lucret. in the oft-repeated phrase *solida pollentia simplicitate*.

4. infinito inani: n. on 2, 54 callido improbo. For the boundlessness of the void see Lucr. 1, 958 ff.; N.D. 1, 54 in hac immensitate latitudinum longitudinum altitudinum infinita vis innumerabilium volitat atomorum.

in quo...sit: see n. on 4, 16 in quibus...numeretur.

5. ultimum: C. F. W. Müller interprets *extremum* as περιφέρεια 'superficies,' 'surface,' with which he thinks *intimum*,

concursionibus inter se cohaerescant, ex quo efficiantur ea quae sint quaeque cernantur omnia, eumque motum atomorum nullo
 18 a principio, sed ex aeterno tempore intellegi convenire. Epicurus autem, in quibus sequitur Democritum, non fere labitur. Quamquam utriusque cum multa non probo, tum illud in primis, quod, 5 cum in rerum natura duo quaerenda sint, unum, quae materia

3 ex aeterno: *extremo* E.

'inmost point,' stands in contrast; the word would also be contrasted with *summum* and *infimum*. This is no doubt a possible meaning of *extremum*, and Müller quotes for it N.D. 2, 47; Timaeus § 17; Varro r. r. 1, 51, 1. The same sense attaches to *extremitas*; for which see n. on 2, 102. But Müller, in order to avoid the tautology involved in *ultimum... extremum*, introduces another of the same kind, for it is just as hard to draw a distinction between *medium* and *intimum*. Numerous attempts to lay down a difference in sense between *ultimum* and *extremum* here have been made, but with no success. If Cicero were here writing apart from a Greek original, there would be nothing unnatural in his using synonymous phrases; indeed, these two very words occur together many times as twin renderings of the word τέλος in its ethical senses (see n. on 3, 26). But there is reason to think that Cicero has here badly represented some words which he found in a Greek source. This may be seen from Cleomedes, Met. 1, 1, 8: ἀπειρον τοίνυν ἅμα καὶ ἀσώματον ὃν οὔτε ἄνω τι ἂν ἔχοι οὔτε κάτω, οὔτε ἐμπροσθεν οὔτε ὀπισθεν, οὔτε ἐκ δεξιῶν οὔτε ἐξ εὐωνύμων οὔτε μέσον· αἰτῆται γὰρ αἱ σχέσεις ἐπὶ τὰ οὐσαι περὶ σώματα θεωροῦνται. This classification of σχέσεις was evidently hackneyed. All seven are mentioned in Aristot. 665 b, 19 and 667 b, 33, and six of them (omitting μέσον) ib. 284 b, 30 and 665 a, 23. In fragm. 195 it is said by Simplicius, on the authority of Aristotle, that to three of these σχέσεις, viz. δεξιὸν ἄνω ἐμπροσθεν, the Pythagoreans gave the name ἀγαθόν, and to the three contrasts the name κακόν. Cf. also Aristot. Physica 205 b, 30 ἢ πῶς τοῦ ἀπειρου ἔσται τὸ μὲν ἄνω, τὸ δὲ κάτω, ἢ ἔσχατον ἢ μέσον; ἔτι πᾶν σῶμα αἰσθητὸν ἐν τόπῳ, τόπον δὲ εἶδη καὶ διαφοραὶ τῶν καὶ κάτω καὶ ἐμπροσθεν καὶ ὀπισθεν καὶ δεξιὸν καὶ ἀριστερόν. From this last passage it would seem probable that ἔσχατον and some contrasted word sometimes took the place of ἐμπροσθεν and ὀπισθεν; and so that

Cicero has obscured by his rendering a real contrast.

ferri: Epic. ap. Diog. L. 10, 43 κινούνται συνεχῶς αἱ ἄτομοι. The *clīnāmen* (παρέγκλισις) is omitted here, to be introduced more prominently later.

1. *concursionibus*: by *concursus* or *concurso* (for the two forms cf. Nägelsbach, Stilistik, § 56, 1 b), Cicero represents ἀντικροπή, σύγκρουσις in the Epicurean texts.

2. *cernantur*: the atoms themselves being invisible as lying *infra nostros sensus* (Lucr. 4, 112).

nullo a principio: Epicurus ap. Diog. L. § 44 ἀρχὴ δὲ τούτων οὐκ ἔστιν.

3. a...ex: for the change of the proposition cf. 2, §§ 12, 22. Cicero says both *ab omni aeternitate* and *ex o. a.*, both *ab aeterno tempore* and *ex a. t.*; but *ex* is far commoner than *ab*.

convenire: infinitive of the impersonal *convenit*. The omission of *fuisse* is rather awkward.

4. *in quibus*: = in eis, in quibus; so Fam. 12, 15, 1 per quos celerrime possent; Sen. d. 12, 6, 8 iterum ibunt per quae venerant; Fin. 2, 3 inter quos disseritur conveniat; De Or. 2, 245 quae cadere possunt in quos nolis; Phil. 1, 10 parum erat...a quibus debuerat adiutus; N.D. 2, 10 senatus, quos ad soleret, referendum censuit.

fere: very rarely goes before a negative word at all or a positive word which it qualifies; see Krebs-Schmalz, Antibarbarus, s. v. Madvig in Brut. 150 reads nihil fere aut non multum for nihil aut non fere multum.

labitur: i.e. does not stumble by getting confused.

5. *utriusque multa*: n. on 4, 32. Madvig illustrates the common omission of *alia* after *multa*.

6. *duo quaerenda sint*, etc.: all this is set forth more in detail in Acad. 1, 24 sq. where the doctrine, which is essentially Stoic, is called (after Antiochus of Ascalon) 'Old Academic.' See my nn. there; and add to the references Lactant. div. inst. 7, 3 Stoici naturam

sit, ex qua quaeque res efficiatur, alterum, quae vis sit, quae quidque efficiat, de materia disseruerunt, vim et causam efficiendi reliquerunt. Sed hoc commune vitium; illae Epicuri propriae ruinae: censet enim eadem illa individua et solida corpora ferri 5 deorsum suo pondere ad lineam; hunc naturalem esse omnium

1 ex qua: *ex quo* AE. 2 disseruerunt: *deseruerunt* A¹. 5 hunc: *habent* BE, cum scriba *h^c* ut *h^t* interpretatus sit.

in duas partes diuidunt, unam quae efficiat, alteram quae se ad faciendum tractabilem praebeat; in illa prima esse vim sentiendi, in hac materiam, nec alterum sine altero posse; 'Ocellus Lucanus,' c. 2, 2 τὸ ἀειπαθὲς μέρος τοῦ κόσμου καὶ τὸ ἀεικίνητον: Stob. Flor. 3, 75.

materia: for the renderings in Latin of *ἄλη* see my n. on Acad. 1, 24, and add Aetna 388 silvae (plural); ib. 446 materiam silvamque; in Rutil. Namat. 1, 488 *fomes* is used like *materia*.

2. **vim...reliquerunt:** thus broadly stated, the reproach is not true, for all force in the Epicurean system is traced back to the downward motion of atoms in space. The same charge is brought in Acad. 1, 6; and is over and over again advanced by Aristotle against the Atomists. See Zeller, 1³, p. 788.

et causam efficiendi: *etis* explanatory, *vim* and *causam efficiendi* being identical in meaning. The genitive *efficiendi* is one of definition or equivalence: 'the cause, that is the efficient force' or 'the cause which lies in the efficient force.' Examples of this genitive attached to *causa* are given in my n. on Acad. 1, 6 *causas rerum efficientium*; add Off. 2, 16 *causas eluvionis*; De Or. 2, 63 *causae...vel casus vel sapientiae vel temeritatis*; Div. in Caec. 6 *causam tantae necessitudinis*. Cf. 3, 45 n.

3. **sed hoc commune vitium:** the omission of the substantive verb is common in brief clauses where great emphasis is laid on some one word, often a pronoun, as here; often an adverb or adjective. Cf. § 20 ne illud quidem physici; 2, 6 hoc vero optimum; 2, 93; 3, 27. Many examples are given in my nn. on Acad. 2, 86 and 94 from different authors; and many more might be added.

commune: Lactant. div. inst. 3, 17, 22 Democritus eruditus hereditatem stultitiae reliquit Epicuro.

illae...enim: n. on 3, 26. Madvig notes that the clause with which *enim* or other inferential particle (as *itaque*, *quare*, etc.) stands is in Cicero often merely introductory to a long demon-

stration, and if taken by itself would seem illogical. Here the 'peculiar downfall' of Epicurus does not lie in his assertion of downward movement attaching to the atoms (which is equally a doctrine of Democritus) but in his subsequent abandonment of that principle, by the invention of the 'swerving aside.' Many passages of the kind have caused unnecessary trouble to editors. Madvig illustrates by reference to Tusc. 2, 62; N.D. 1, 85; Verr. 4, 108; De Or. 2, 217. Hartman in Mnem. xxii ejects an *enim* like this in Clu. 115; Brut. 1, 15, 4.

4. **ruinae:** cf. 2, 18 (Epicurus) ruit in dicendo; 5, 83 iam ruinas videres; Leg. 1, 39 Academia nimias edet ruinas; Lucr. 1, 740 principiis tamen in rerum fecere ruinas.

solida: *νασίδας* of the atoms in Simplic. on Arist. de caelo 275 b, 29 (Usener, p. 202).

5. **deorsum:** the *r* was probably not pronounced, even when written; see Gröber in Archiv 2, 101 sq. The form *deorsus*, though found occasionally in our mss. (as in A in § 19), was probably not used by Cic. The word is not employed by Cicero as an adverb of rest, in which sense it occurs in old Latin and in Varro r. r. 1, 6, 3.

suo pondere: cf. N.D. 1, 69 *suapte pondere*; De Fato 23 *gravitate naturali ac necessaria*; N.D. 1, 69 *pondere et gravitate*; Lucr. 2, 84 *gravitate sua*. Madvig quotes from Diog. La. 10, 61 ἡ κάτω (φορὰ) διὰ τῶν ἰδίων βαρύν. Cf. Usener, p. 19, 1.

ad lineam: for *ad lineas* in late writers see Otto in Archiv 7, 10, 11; κατὰ σταθμὴν of the atoms in Plut. Plac. 1, 12, 3 and 1, 23, 4 (Aetius ap. Diels, p. 311 a, 10 and p. 319); cf. *rectis lineis*, De Fato 22; *directo deorsum*, N.D. 1, 69; *rectum per inane*, Lucr. 2, 217 (where see Munro's n.). Guyau, Morale d'Epicure, p. 74, tries, but unsuccessfully, to relieve Epic. from some of the absurdity of assuming perpendicular lines in space. See Plut. de def. orac. p. 425 D.

19 *corporum motum*. Deinde ibidem homo acutus, cum illud occurreret, si omnia deorsum e regione ferrentur et, ut dixi, ad lineam, numquam fore ut atomus altera alteram posset attingere, † itaque attulit rem commenticiam: declinare dixit atomum

2 deorsum BE, cf. n. ad § 18: *deorsus* A. Vide Neue-Wagener II 744 f. 2 ad lineam: *adlinam* A¹. 3 fore ut: *fore unquam* E.

1. *corporum*: 'heavy bodies,' not atoms, for which Cicero does not employ *corpora* alone, but *c. individua*. Below (§ 19) he has *ponderum*, for which cf. Lucr. 2, 190 *pondera*, quantum in se est, cum deorsum cuncta ferantur. Madvig's remark that Epic. denied to the atoms a third motion, the only one assigned to them by Democritus, and called *πληγή*, is erroneous, in two ways. See Zeller, I³, 794, 5. There is no doubt that D. attributed downright rectilinear motion to the atoms as well as *πληγή*, which implies the collision of atom with atom after they had met; and the conceptions of Ep. and Dem. as to the movement of the atoms after their meeting do not differ essentially.

deinde ibidem: the same combination of particles is found in Acad. 2, 44. In my n. there examples are given of *deinde* combined with *tum*, *post*, *postea*, *statim*, *mox* and *hinc*; also of the phrase *ibidem ilico* [*deinde post* wrongly attacked by Novák in Vell. P. 2, 23, 3].

2. *occurreret*: 'confronted him'; not essentially different from the use of the word in 2, 108, where see n. Madvig, objecting to an old interpretation, which made the word equivalent to *adversaretur* or *repugnaret*, explains 'in mentem veniret et cogitanti contrarium videretur.' But the distinction is trivial; if the idea of opposition is attached to *occurreret* at all, it matters nothing here whether the opposing circumstance is treated as a reflexion, or a fact. And the notion of opposition is conspicuously present here, differentiating the use of the verb from those we find, e.g., in 3, 53; 4, 24.

e regione: 'in a straight line'; the meaning of *e* in this phrase seems to be 'in accordance with,' as in *e natura*, 5, 26, where see n. The original sense of *regio* is well seen in this phrase, as in *recta regione*, *regio viarum*, etc. Sometimes *e regione* means 'straight opposite,' as in N.D. 2, 103 e. r. solis, 'straight in the path of the sun' and Acad. 2, 123.

3. *numquam fore*, etc.: so Epic. ap. Diog. L. 10, 42 οὐδαμῷ ἂν ἔμενε τὰ σώματα, ἀλλ' ἐφέρετο κατὰ τὸ ἀπειρον κενὸν διεσπαρμένα, οὐκ ἔχοντα τὰ ὑπερλείδοντα καὶ

στέλλοντα κατὰ τὰς ἀνακοπὰς, i.e. there would have been nothing underneath the atoms to stay them and place them in a position to knock up against one another. Democritus believed that the heavier atoms would overtake the lighter and so the vortex of atoms (*δίνη*) would be started; see Zeller, I³, 793-5, and the refutation by Lucr. 2, 225 sq.

altera alteram: De Fato 22 atomus ab atomo pulsa. Cicero's words here lie close to those of Simplicius on Arist. phys. 4, 8 (p. 216 a, 17) οὐδέποτε καταλήψεται ἡ ἑτέρα τὴν ἑτέραν οὐδὲ ἀλληλοτυπῆσουσιν ἢ περιπλακῆσονται. οὐδὲ γὰρ ἡ τῶν σχημάτων διαφορά ὅσα τέστιν ἄνισον αὐτῶν ποιεῖν τὴν φοράν· καὶ γὰρ τὰ σχήματα τῷ διαιρεῖν (sc. τὸν ἀέρα) ἢ τῷ μὴ διαιρεῖν ἄνισον τὴν φοράν ποιεῖ. ἐν δὲ τῷ κενῷ οὐδὲν ἐστὶ τὸ διαιρούμενον. ὥστε οὐδὲ γένοιτο εἶναι τινός. Cf. Us. § 279.

4. *itaque*: no real example has been produced of *itaque* used to introduce an apodosis. It has been suggested that it is here used as a resumptive particle; but as Madvig says, the circumstances are not such as to call for a resumptive particle; and moreover, although *ergo* and *igitur* are freely used so, the one passage quoted for such an employment of *itaque*, viz. Liv. 2, 12, 2, is not above suspicion. [The instances quoted by Draeger, II³, p. 184, are quite different; they all occur at the beginning of a sentence, not in the middle.] We are driven to choose between emending the text and assuming a lacuna in the archetype of our mss. The supposition that the words *itaque...commenticiam* are a gloss is improbable; if there is corruption, it lies in *itaque*, and the only word of which this could well be a deprivation is *inique*, which does not fit in with the context. It is better to suppose that a few words have dropped out, and a clue to their general sense is afforded by the passage of Simplicius quoted above and Cicero's own words below. The drift of the omitted words may be thus represented: *neque ut complexiones atomorum inter se extarent, quibus mundus crearetur, alio confugiendum sibi videbat, itaque*.

perpaulum, quo nihil posset fieri minus; ita effici complexiones et copulationes et adhaesiones atomorum inter se, ex quo efficeretur mundus omnesque partes mundi quaeque in eo essent. Quae cum res tota ficta sit pueriliter, tum ne efficit *quidem*, quod

5 volt. Nam et ipsa declinatio ad libidinem fingitur (ait enim declinare atomum sine causa, quo nihil turpius physico quam

2 adhaesiones: *adhaesitationes* A.

4 *quidem*: om. AB.

commenticiam: so Fat. 23 *commenticia* declinatio; also ib. 48.

1. **perpaulum**: Fat. 22 *declinat atomus intervallo minimo*—id appellat (Epicurus) *ἐλάχιστον*: so ib. 46; N.D. 1, 69 ait atomum declinare paululum; Lucr. 2, 217 sq. corpora...se incerto tempore ferme | incertisque locis spatio depellere paulum, | tantum quod momen mutatum dicere possis; ib. 243 sq. paulum inclinare necesse est | corpora, nec plus quam minimum ne fingere motus | obliquos videamur et id res vera refutet. [In favour of *depellere*, the reading of the mss. in Lucr. 1, 219, the occurrence of *pellere depellere* with reference to the atoms in Fat. 22 may be adduced.]

posset: the subj. is solely due to the *oratio obliqua*; not perceiving this, and supposing it to be 'potential,' Otto and some others among the older editors make unnecessary trouble. See below, § 30 n.

complexiones: *περιπλοκή* is the word of Epicurus ap. Diog. L. 10, 43.

2. **quo**: for the neut. sing. here see n. on § 20 and Acad. 1, 32.

3. **partes mundi**: the larger divisions of the *mundus*, such as sea, sky, land (which are defined as *mundi membra* in N.D. 1, 100) seem to be here intended. Cf. 4, 12, and for illustrations of the expression see my n. on Acad. 1, 28.

4. **efficit**: the subject is *Epicurus*, not *res*; see below, *nec tamen id cuius causa haec finxerat assecutus est*.

5. **nam**: the sentence which follows does not prove or confirm the preceding but awkwardly repeats its sense. But *nam* in Cicero often corresponds not so much to our 'for' as to 'indeed,' used as a continuative particle; see n. on *enim* in 1, 18.

declinatio: the word of Lucretius is *clinamen*; cf. Philod. *περί σημείων καὶ σημειώσεων* col. 36, *γὰρ τὰς ἐπ' ἐλάχιστον παρεγκλίσεις τῶν ἀτόμων*.

fingitur: the very word which is deprecated by Lucr. 2, 244.

6. **sine causa**: two reasons for the

declinatio were always given by the Epicureans: (1) that without it the atoms would never have come together to create things; (2) that free-will can only be explained by some deviation from rigid law in the atoms out of which all things arise. Cf. De Fat. 23 Epicurus...veritus est ne, si semper atomus gravitate ferretur naturali ac necessaria, nihil liberum nobis esset, cum ita moveretur animus, ut atomorum motu cogeretur. The *declinatio* is therefore a hypothesis intended to explain the present by the past. But atomism was from the first described by its opponents as being a scheme without cause: so Arist. *gen. an.* 789 b, 2 *Δημόκριτος δὲ τὸ οὐ ἔνεκα ἀφ' οὗ λέγειν πάντα ἀνάγει εἰς ἀνάγκην οἷς χρήται ἡ φύσις*. The physical cause of movement, in the eyes of the atomists, lies solely in the void: Arist. *phys.* 265 b, 23 *διὰ δὲ τὸ κενὸν κινεῖσθαι φασίν*. And the word *fortuitus* is often applied to the meeting of the atoms by critics of Democritus as well as by those of Epicurus. Generally the critics have in view the absence from both systems of a controlling divine mind. But sometimes the *declinatio* is said to be without cause merely because there is no external physical impulse to give rise to it. This is the case in De Fato 22, *declinationem si minus verbis, re cogitur confiteri*. Non enim atomus ab atomo pulsa declinat [as in the system of Democritus, which therefore has the advantage over that of Epicurus]. Nam qui potest pelli alia ab alia, si gravitate feruntur ad perpendicularum corpora individua rectis lineis ut Epicuro placet? [Of the atoms descended according to the view of Democritus, the impinging of the heavier atoms on the lighter would account for the abandonment of the rectilinear motion.] Sequitur enim ut si alia ab alia numquam depellatur ne contingat *quidem* alia aliam. [If there is no knocking aside, there is no touching, because touching would lead to knocking aside. This is assumed, and rightly;

fieri quicquam sine causa dicere), et illum motum naturalem omnium ponderum, ut ipse constituit, e regione inferiorem locum petentium sine causa eripuit atomis nec tamen id, cuius causa
 20 haec finxerat, assecutus est. Nam si omnes atomi declinabunt, nullae umquam cohaerescunt, sive aliae declinabunt, aliae suo 5 nutu recte ferentur, primum erit hoc quasi provincias atomis dare,

2 e regione: a r. E; regionem om. e P.

a point missed by Madvig, in his n. on *declinare atomum perpaulum*.] Ex quo efficitur etiamsi sit atomus eaque declinet, declinare sine causa. Plut. de anim. proc. in Tim. p. 1015 c' *Ἐπικούρου ἀνατρίων ἐπεισάγοντι κίνησιν*. Carneades argued (De Fato, 23) that so far as free-will is concerned, Epicurus could have done without the *παρέγκλισις*.

quo nihil turpius...quam: for *quam* along with the ablat. of comparison cf. Acad. 1, 45 neque hoc quicquam esse turpius quam...; De Or. 1, 169 quid ergo hoc fieri turpius potest quam...; ib. 2, 38 and 302; N.D. 1, 38; Div. 1, 87; Att. 4, 8 b, 2; ib. 8, 9, 3; pro Quinct. 8; Prov. cons. 36; Phil. 12, 9. A similar idiom occurs in Greek, ἢ following the genit. of comparison.

physico: Fat. 25 ne omnibus a physicis irrideamur, si dicamus quicquam fieri sine causa; Galen, de plac. 4, 389 (ed. Müller) *ἐὶ οὐδὲν ἀνατρίως γίνεσθαι καὶ τοῦτ' ἔστιν ἀπάντων σχεδόν τι τῶν φιλοσόφων ὁμολόγημα κοινόν*. Quint. 7, 2, 36 at nihil credibile sit factum esse sine causa.

3. sine causa...cuius causa: for the repetition of *causa* cf. Lael. 57.

4. si omnes...sive aliae: this is a very rare use for *sive...sive* or *si...sin*, the former mode being employed when the two alternatives are on the same level, the latter when there is a contrast between them. It is hard to trust our mss. in such matters, and easier here to believe that they have dropped the second syllable of the first *sive* than that Cicero departed once from his own constant usage and that of his time. There are two passages in which *si quid* or *si quis* is succeeded by *sive*, viz. Att. 10, 18, 2 *si quid de Hispaniis sive quid aliud*, perge quaeso scribere; and Rep. 4, 12 *si quis occentavisset sive carmen condidisset*. But the latter passage is archaistic, and modelled after the language of the statutes; while in the former *si quid* is the equivalent of *quidquid* and *sive* is used as e.g. in Off. 1, 33 Q. Fabium Labeonem seu quem alium. The mss.

of Caesar's *De Bello Gallico* are so bad that little importance can be attached to the reading in 4, 17 *si arborum trunci sive naves...essent immissae*; cf. too Val. M. 2, 6, 5 (where *si...sive* is retained by the recent editor, Kempf); Phaedr. App. 18, 8. Apart from the passages quoted there are no real exceptions before Seneca excepting in archaic writers (Ennius Plaut. Ter. etc.) and archaizing Latin (statutes, formulae, and the like). Some apparent exx. are to be explained by anacoluthon; for which see my n. on Acad. 1, 7 *sive...sin* vero and Madvig, Excursus to 1, 23. [The reference in Draeger to Virg. Aen. 1, 218 is an error.] Where *si...sive* occurs in archaic or archaistic Latin, the two particles usually belong to two complete protases which have a common apodosis. The appearance in the present passage of an apodosis to each of the protases is especially unusual; as also is the connexion of the two particles in Att. 10, 18, 2 and Caes. B. G. 4, 17 with a common verb. Cicero occasionally uses *si...si* for *sive...sive* or *si...sin*, as to which see my n. on Acad. 1, 7; but not when the particles lie so close together as in Pl. Rud. 1257 *si aurum, si argentum*; Lucr. 4, 783 *si mare, si terrae cordi, si denique caelum*.

si declinabunt ... cohaerescunt: sentences of this form (fut. ind. both in protasis and apodosis) are especially common in Cicero; see Blase in the 'Commentationes in honorem G. Studemund' (Strassburg, 1889).

5. nullae cohaerescunt: this only holds good if all the atoms swerve at exactly the same angle, and continue to move in parallel lines.

6. nutu: 'tendency to move'; cf. Tusc. 1, 40 ut...terrena et umida (corpora)...suapte nutu et suo pondere...ferantur; Rep. 6, 17 in eam (tellurem) feruntur omnia nutu suo pondera; N.D. 2, 98 terra...undique ipsa in sese nutibus suis conglobata (here the tendency of every portion of the earth towards its centre); so De Or. 3, 178 and Lucr.

quae recte, quae oblique ferantur, deinde eadem illa atomorum, in quo etiam Democritus haeret, turbulenta concursio hunc mundi ornatum efficere non poterit. Ne illud quidem physici, credere aliquid esse minimum; quod profecto numquam putavisset, si a Polyaeno, familiari suo, geometrica discere maluisset

5 geometrica I. F. Gronovius: *geometricam* codd.

Possibly in Virg. Ecl. 4, 50 aspicere convexo *nutantem pondere mundum* we have an echo of Epicurean phraseology.

provincias dare: cf. Fat. 46 num sortiuntur (atomi) inter se quae declinent, quae non?

1. quae...ferantur: for the indirect question loosely dependent on *provincias dare* (really dependent on some such idea as *ut decernatur* omitted) cf. n. on 1, 14 above and 1, 30 itaque negat opus esse ratione neque disputatione quamobrem voluptas expetenda, fugiendus dolor sit (i.e. *disputatione qua demonstratur*, etc.).

2. in quo: 'wherein' = *in qua re*. The neut. pron. is often used in place of a relative agreeing with the preceding substantive, whatever be the gender or number of the substantive. The same usage attaches to *in eo* (2, 6). Many passages in which this idiom occurs have been wrongly changed by editors, and no doubt many examples of its occurrence have been obscured by the writers of mss.; Fin. 1, 56; 2, 6; 3, 21 and 5, 37; Leg. 1, 45. A good many examples of the idiom will be found in a n. of mine on Acad. 1, 32; add to these Div. 1, 72; De Or. 1, 246 (where *in quo* is an almost certain correction for *in qua*); 1, 253; 2 §§ 72, 83 (bis), 110, 142; Fam. 1, 9, 7 and 9, 1, 2 (where C. F. W. Müller rightly keeps *in eo* against Wesenberg and others); Att. 2, 18, 2 mentionem facere, quo (kept by edd.); ib. 4, 15, 6; Fam. 4, 3, 4; Off. 1, 35; De Or. 2, 122; ib. 1, 144 (*in quo*, some editors for *in qua*); 2, 239; 331; Qu. Fr. 2, 3, 4 (where Tyrrell vainly defends the reading of the Med. *in ea*); Varro r. r. 1, 13, 7 (*in eo* needlessly altered, even by Keil); ib. 1, 17, 3. [See Keil's n. on the last passage, and also Spengel, praef. to Varro de Ling. Lat. ed. 1885, pp. lxvii sq.] In all the passages to which reference has been made above one or other of the expressions, *in eo*, *in quo*, occurs. But a similar use of the neut. pron. is found, though less commonly, in other forms; see n. on 4, 65.

haeret: the word, as Madvig notes, does not imply that Dem. admitted the

difficulty. So 2, 18 quam (voluptatem) si (Epicurus) explicavisset, non tam haesitaret; cf. too 5, 84 haeret (oratio) in salebra.

turbulenta concursio: a rendering of the *δίνη* of Democritus (or *δῖνος*, Epic. in Diog. L. 10, 90), for which see Zeller, 1³, p. 793 sq. So *concurso fortuita* is applied to the scheme of Dem. in Tusc. 1, 42, and to that of Epic. in Acad. 1, 6; N.D. 2, 93.

3. mundi ornatum: a rendering of *κόσμον*; so often, with or without *mundi*. Below, 3, 18 *ornatus* renders *κόσμος* in another sense. The argument in the context is hackneyed.

ne illud, etc.: so Div. 2, 14 ne illa quidem divinantis esse dicebas...ventos praesentire signis. On *ne...quidem* see my n. on Acad. 1, 5.

4. minimum: so the existence of the atom is denied (after Antiochus) in Acad. 1, 27 cum sit nihil omnino in rerum natura minimum quod dividi nequeat; cf. too Galen, de plac. p. 663 *περὶ δὲ τῆς κατὰ μέγεθος τομῆς τῶν σωμάτων ἐπιδέδεικται τοῖς γεωμετρικοῖς ἀνδράσιν ὡς οὐδέποτε στήναι δυναμένης, ἀλλὰ αἰεὶ τοῦ τεκμονομένου σμικρότερον ἑαυτοῦ τὸ μέγεθος ἔχοντος*: Arist. de cael. 303 a, 20 ἀνάγκη μάχεσθαι ταῖς μαθηματικαῖς ἐπιστήμας ἄτομα σώματα λέγοντας (Democritus and Leucippus). There is in the Revue de Philologie, XIII, 86 sq., an unconvincing argument by Riemann to show that *minimum* here does not refer to the atom, but to the 'least possible' swerving aside of the atom of which mention was made above. He holds that §§ 18-20 entirely deal with those points wherein Epicurus differed from Democritus, and that only in § 21 do we get to what is common to the two, including the atom. But in § 20 one weakness at least is indicated as affecting the two alike, viz. the *concurso* or *δίνη*. And it is not likely that the mathematical argument, invoked elsewhere to show that the atom is impossible, should be here directed against the 'least possible' swerving.

5. Polyaeno: his renunciation of

quam illum etiam ipsum dedocere. Sol Democrito magnus videtur, quippe homini erudito in geometriaque perfecto, huic pedalis fortasse; tantum enim esse censet quantus videtur, vel 21 paulo aut maiorem aut minorem. Ita, quae mutat, ea corrumpit,

2' geometriaque: *geometrica* P (m. 2).

mathematics at the bidding of Epicurus is mentioned in Acad. 2, 106. He was an interlocutor in the 'Symposium' of Epicurus (see Usener, pp. 115, 116), and his name often occurs in the *Herculanean fragments*. The title of one of the rolls (Scott, p. 46) is *Δημητρίου πρὸς τὰς Πολυαίνου ἀπορίας*. In another (Scott, p. 67) reference is made to *τὰς ἐπιτομὰς τῶν ἐπιστολῶν τῶν Ἐπικούρου, Μητροδώρου, Πολυαίνου, Ἑρμάρχου καὶ τῶν γυναικῶν*. Pol. is ranked with Metrodorus and Hermarchus by Seneca, Ep. 6, 6. There is more about him in Zeller, III, 1, p. 369, n. 4, and particularly in the index to Usener's Epicurea, s.v.

geometrica: Tusc. 1, 57 si *geometrica* didicisset. Cicero uses *musica* (fem. subst.) as well as *musica* (neut. plur.); so with *dialectica*; *physica*; see my n. on Acad. 1, 25. For the succession *geometrica...geometria* Madvig compares De Or. 1, 187 in musicis...in *geometria*.

1. *dedocere*: as to the attitude of Epicurus and his followers towards mathematics see Usener, Epicurea, §§ 229 a, 229 b, 230; and cf. N.D. 2, 48 *numquam eruditum illum pulverem attigistis*; and n. on § 71. Aristippus also attacked mathematics (Arist. Met. III, 2, p. 996 a, 32).

2. *erudito*: 'solet Cicero etiam magnificentius de Democrito loqui, famam quandam sequens, etiam ut Epicurum deprimat' (Madvig). Diog. L. 9, 37 and Plut. 1079 e refer to the familiarity of Dem. with mathematics.

3. *pedalis*: the same word is used in the same connexion in Acad. 2, 82 and Sen. N. Q. 1, 3, 10; Tertull. ad. nat. 2, 4; Arnob. 2, 61 *pedis unius*. In my comments on Acad. 2, 82 I have given information concerning this opinion of Epicurus, most of which I will not here repeat. Madvig is clearly wrong in supposing that Epic. derived his doctrine about the size of the sun (and the other heavenly bodies—see Diog. L. 10, 91) from his general belief in the infallibility of the senses, as well as his ideas concerning the *εἰδῶλα* or *imagines* which all bodies emit, to which the cognisance of all things is due. Only in the case of luminous bodies did Epic.

identify apparent size with real size; and the discrepancy between the two in the case of other objects was explained by the theory that their *εἰδῶλα* become diminished in amplitude as they pass through the air (Lucr. 4, 355 sq.). Although we have no definite record of the fact, we must suppose that for some reason Epic. believed the *εἰδῶλα* proceeding from the sun and other luminous bodies to be exempt from wear and tear. The problem seems to have been handled on these lines in the treatise of which the *Herculanean roll no. 1013* has preserved a few miserable remnants; see especially Scott, p. 311. Epicurus discussed the matter in his *περὶ φύσεως* (Usener, §§ 80, 81), and there is a reference to it in Philod. *περὶ σημείων*, col. 10. It would appear that the estimate of the sun's apparent size, viz. a foot broad, was a commonplace, as it is given several times by Aristotle, viz. 428 b, 3; 458 b, 29; 460 b, 18; and by Cleomedes many times. The writer last named argues (probably after Posidonius) that the apparent size of the sun is not invariable. It may have been with the purpose of meeting this argument that Epic. allowed the possibility of the sun being in reality a little larger or a little smaller than his apparent size. The Stoic objector in Philod. *περὶ σημείων* urges that on the view of Epic. the sun becomes one of the *μοναχά*, i.e. exceptional objects, which throw difficulties in the way of using *ἀναλογία*. But it was by an application of *ἀναλογία* that Epic. attempted to defend his position. Absurd as it may seem he, and Lucretius after him (Diog. L. 10, 90, 91 and Lucr. 5, 594 sq.), contended that the apparent size of luminous objects on earth does not diminish with distance. This Epic. treated as an *ἐκάρρηγμα*, i.e. a self-evident fact which needed no argument (Diog. L. 11.). [Diels, Dox. 221, treats *εἶρος ποδὸς ἀνθρώπου* attributed to Heracl. very oddly; and it is a tag of verse from Cleanthes. In a n. he says the more recent Epicureans saw the puerile opinion of Heraclit. to be unthinkable. He refers to Diog. L. 10, 91.]

quae sequitur, sunt tota Democriti, atomi, inane, imagines, quae idola nominant, quorum incursione non solum videamus, sed etiam cogitemus; infinitio ipsa, quam ἀπειρίαν vocant, tota ab illo est, tum innumerabiles mundi, qui et oriantur et intereant 5 cottidie. Quae etsi mihi nullo modo probantur, tamen Demo-

1 inane: *inanes* P. 2 idola: sic AP; *ydola* codd. multi. 2 quorum: *quarum* Nonius, et *incursionem*. 3 infinitio: *invitricio* E, miro errore. 3 ἀπειρίαν: *apirian* codd. et Nonius. 5 nullo: *in illo* E.

1. sunt tota D.: 'are wholly the property of D.' For the slight pleonasm Madvig compares 5, 22 cum a Peripateticis et Academicis omnia transtulissent, nominibus aliis easdem res secuti sunt. As to the relation in which Epic. stood to Dem. cf. 4, 13; N.D. 1, 73 quid est in physicis Epicuri non a Democrito? Nam etsi quaedam commutavit, ut quod paulo ante de inclinatione atomorum dixi, tamen pleraque dicit eadem, atomos inane imagines infinitatem locorum innumerabilitatemque mundorum, eorum ortus interitus, omnia fere quibus naturae ratio continetur.

atomi, inane, imagines: all these are said to have formed part of the system of Leucippus. Democritus appears to have used the term *δεῖκελα* (Zeller, 1³, p. 818), and it is possible that the term *εἶδωλα*, attributed to him in the ancient sources (as e.g. Fam. 15, 16, 1 and here), may really have been introduced, like many other novel terms, by Epicurus. The distinction may have been set out in the source from which Cicero drew N.D. 2, 76; et Democritus simulacra et Epicurus imagines inducens. Mayor, *ad loc.*, thinks the reference is to a difference between the two philosophers in the applications which they made of the theory of images; if that be the case, the language is strangely ill chosen. Timagoras, an Epicurean teacher, called the images ἀπορροαί (Stob. ap. Diels, p. 403). Cicero mostly renders εἶδωλον by *imago*, but here and there he uses *simulacrum*, which also occurs occasionally in later prose writers, while Lucretius employs both words indifferently. In Fam. 15, 16, 1 (addressed to Cassius) the rendering *spectrum* is quoted from the Roman Epicurean writer Catius. The letter was written very early—in 45 B.C., before the time at which Cicero began to compose the De Finibus. Catius no doubt invented *spectrum*, lit. 'an instrument of vision,' from *spec-* of *spec-ies*. The word only occurs once again in Latin; in a letter

of Cassius ap. Fam. 15, 19, 1, which is a reply to the one just mentioned.

2. quorum: after the introduction of εἶδωλα, Cicero is not likely to have given the relative the gender of *imagines*.

3. cogitemus: the ancient authorities for this doctrine are nearly all given by Zeller, 111³, 1, p. 421 sq. Cf. N.D. 1, 107 fac imagines esse, quibus pulsenter animi; ib. 108 vos autem non modo oculis imagines, sed etiam animis inculcatis. The atomists explain all sensation and all thought as physical contact.

infinitio ipsa: it seems by Cicero's use of *ipsa* that Epicurus made more claim to originality in respect of the ἀπειρία than in other parts of his physics. The word ἀπειρία (found in Plut. Colot. 1114 b and De def. orac. 420 b) applies both to the unlimitedness of space, and to the unlimitedness of matter; proof of both these doctrines is given by Epicurus, ap. Diog. L. 10, 41, and Lucr. 1, 1008 sq. See Usener, p. 375. The expression *infinitio* is isolated in Latin. Whenever Cicero elsewhere has occasion to render ἀπειρία, he uses *infinitas* (see Wölfflin in Archiv 4, 411). Nägelsbach, Stil. § 57, 1, has well remarked that the Latin language obstinately refused to adopt many verbal nouns, not merely technical terms, such as *infinitio* here and *effectio* (below, 3, 45), and *praenotio* (for πρόληψις in N.D. 1, 44), but formations which might have played a useful part. He gives a long list of such ἀπαξ εἰρημένα or rarities from Cicero; and many more might be added, as (taking only words which begin with the first letter of the alphabet) *accuratio*, *assensio*, *ascrip̄tio*, *aspersio*, *asportatio*, *assessio*, *asseveratio*. Cf. n. on § 25, *evolutio*.

ab illo: so est...a Democrito in N.D. 1, 73 quoted above; ib. 107; Mur. 61, ea sunt omnia non a natura sed a magistro.

4. mundi: see Usener, pp. 213–15, 380, 382; and my n. on Acad. 2, 125.

critum, laudatum a ceteris, ab hoc, qui eum unum secutus esset, nollem vituperatum.

- 22 VII. Iam in altera philosophiae parte, quae est quaerendi ac disserendi, quae λογική dicitur, iste vester plane, ut mihi quidem videtur, inermis ac nudus est. Tollit definitiones, nihil 5 de dividendo ac partiendo docet, non quo modo efficiatur concludaturque ratio tradit, non qua via captiosa solvantur, ambigua distinguantur ostendit; iudicia rerum in sensibus ponit,

2 vituperatum: *vituperare* A¹ (fort. ex *vituperari*).

5 nudus: *mundus* E.

orientur...coddie: cf. N.D. 1, 67 mundis innumerabilibus omnibus minimis temporum punctis aliis nascentibus, aliis cadentibus.

1. unum: sc. in *physicis*; so 2, 102 quem ille unum secutus est; Plut. non posse suav. vivi, p. 1100 a τὰ δόγματα ῥήμασιν αὐτοῖς ὑφαιρούμενος.

2. nollem vituperatum: *esse* is thus constantly omitted by Cicero; so § 35; 2, 8 reprehensum velim.

Epic. criticised Democritus, possibly in a special work (see Usener, Epic. p. 97); so, too, Metrod.; see D.L. 10, 24. It is often said that Epic. abused Dem. as he abused other philosophers; cf. Diog. L. 10, 8 (Δημόκριτον Ληρόκριτον); Sext. A. M. pr. § 3; Plut. contra Epic. beat. 1100 a; N.D. 1, 93. The criticisms of Dem. which are to be found in existing documents, coming direct from the Epicurean school, are respectful enough; and Plut. adv. Colot. 1108 e repeats an assertion of Leonteus, who lived in the closest friendship with Epicurus and Metrodorus, that Epic. called himself a Democritean, and that the atomistic philosophy continued to be called Democritean; and also an assertion of Metrodorus, that Epic. would never have become a philosopher but for the lead given him by Dem. Cf. Usener's index s. v. Δημόκριτος.

3. quaerendi ac disserendi: the Stoics (who were the dialecticians par excellence of the post-Aristotelian period) described this branch of philosophy as λογική, and subdivided it into ῥητορική and διαλεκτική. Cicero often represents the latter branch by *disserendum*, as here. [Rhetoric is at this point left out of consideration, having been dealt with above.] But *disserendum* also figures as a rendering of λογική; so below, 5, 9 una pars est naturae, disserendi altera, vivendi tertia. For the scorn with which Epic. treated the logic of the others schools see n. on § 63.

quae est...quae dicitur: this slightly inelegant succession of clauses beginning with a relative is not uncommon; so § 13 and 2 §§ 13, 16.

5. inermis ac nudus: Lucr. 5, 1292 omnia cedebant armatis nuda et inerma. In Acad. 2, 46 armatos, of those equipped with dialectic.

tollit definitiones: this is contradicted by § 29; 2, 4; and by much else that is told us about Epic., as in Sext. A.M. 11, 169 (definition of philosophy), Usener, fr. 228 b (of τέχνη), Sext. A.M. 7, 267 (of ἀνθρώπος); Epicurean definitions of physical things are common. Because he rejected the Stoic technicalities concerning definition, Cicero here says that he rejected definition altogether. The same holds of the words that follow; cf. § 63 and 3, 40.

6. ac partiendo: but for the fact that the words *dividendo ac p.* are treated as a compound phrase, ac would have been changed to *aut* after *nihil*.

efficiatur...ratio: in Cicero *rationem concludere* is the usual rendering of συλλογίζεσθαι: so συλλογισμός = *rationis conclusio*, § 30, and 3, 59; and *conclusio* alone, 3, 27; 4, 52 and 55. With *efficiatur ratio* cf. *e quibus effecta conclusio est* in 3, 27.

7. captiosa: σοφίσματα: cf. 2, 17 dialecticas captiones; also 3, 72; 4, 9. In the character of a New Academic, Cicero himself denounces dialectic in Acad. 2, 91-5, and declares many sophisms to be insoluble.

ambigua: ἀμφίβολα: so 4, 75 ambiguo ludimur; Acad. 2, 92 (dialectica) tradit ambiguum intelligentiam.

8. iudicia rerum: *iudicium* is the word by which Cicero regularly renders κριτήριον: see 3 § 3, Acad. 1, 30 with my n. The plural seems to be used here because Epicurus sometimes laid down as κριτήρια three things, αισθήσεις, προλήψεις, πάθη (Diog. L. 10, 31). But the two last are totally dependent

quibus si semel aliquid falsi pro vero probatum sit, sublatum esse omne iudicium veri et falsi putat. . . . Confirmat autem illud vel **23** maxime, quod ipsa natura, ut ait ille, sciscat et probet, id est

2 confirmat autem: ante haec verba non nulla excidisse ex rerum nexu patet.

on the first, so that sense becomes sole test of truth. The difficulty is to avoid making false inferences from sense, which gives true evidence always, if we can get at it. See my n. on Acad. 2, 79 eo enim rem demittit Epicurus, si unus sensus semel in vita mentitus sit, nulli umquam esse credendum.

2. **confirmat autem**, etc.: the transition to ethics, intimated merely by an *autem*, has seemed to nearly all scholars who have handled the text, incredibly **abrupt**. Probably a page of the archetype has been lost; it may be, through the occurrence of the word *confirmat* at the beginning of two successive pages. In the omitted passage there was, most likely, further criticism of the *κανονικόν* of Epicurus, then some words introduced the topic of ethics; these corresponded to the opening words of § 22, and were followed by an attack on Epic. for having adopted *voluptas* as *summum bonum* (and for having borrowed this very doctrine from Aristippus (§ 26 n.)). Allen alone has attempted to point out a connexion between the subject-matter of § 22 and that of § 23 as the text stands. He supposes that *illud* is *sensuum iudicium*. But there is no Epicurean text which warrants us in believing that Epic. connected the ethical test of good and bad with the intellectual test of true and false. And (though Allen does not point it out) this explanation would make *id*, the suppressed antecedent of *quod*, into the subject of *confirmat* (in spite of *tradit, putat*, etc. in the context). The only possible interpretation of the sentence beginning with *confirmat*, as it stands, is this: 'he strongly maintains the principle which nature sets up and approves, viz. pleasure and pain.' Madvig objects as follows to the rendering just given of *confirmat*: 'pravisime dicitur Epicurus confirmare id quod natura sciscat, pro eo quod est probare et tenere.' But the objection is unfounded; cf. De Fato 48 nec...quisquam magis confirmare mihi videtur non modo fatum verum etiam necessitatem et vim omnium rerum, quam hic; also ib. §§ 20, 39. Madvig proceeds 'nisi quod pravius est: quod natura probet, id est, voluptatem et dolorem.' Whether

the objection is to *quod* followed by the two words *voluptatem et dolorem* or to *probet* brought into connexion with *dolorem*, is not clear. With regard to the former of the two points, it is quite natural that pain and pleasure should be regarded as forming, combined together, a single κριτήριον of good and bad. So it is sometimes said that Epicurus had a κριτήριον τοῦ ἀληθοῦς καὶ ψευδοῦς, sometimes that he had κριτήρια, because the κριτήριον consisted of three parts, αἰσθήσεις προλήψεις πάθη. Cf. Democritus, qu. in § 30. In this sense nature may be said to 'set up and approve of' pleasure and pain, just as below (§ 30) nature is said to grasp and determine upon pleasure and pain for the purpose of testing the desirability of objects. The words *ad haec...omnia* seem to support this explanation. But another elucidation is possible; Cicero may have written *sciscat et probet*, intending to introduce *voluptatem* only, and he may have added *et dolorem* as an after-thought, in spite of the incongruity of *dolorem* with *sciscat et probet*. Irregularities of the kind are found in all languages. For illustrations I must refer to my n. on 3, 52 quae secundum locum obtinent, προηγμένα, id est producta nominentur, quae vel ita appellemus vel promota et remota. But the interpretation given above, though possible, is open to suspicion. In the first place it is strange that Epic. should be said to maintain strongly the ethical test, instead of the *summum bonum*. If, as is most probable, the adoption by Epic. of pleasure as the supreme good was mentioned in the lost passage, *confirmat* would naturally mean 'corroborates' and *illud* would refer back to the Epicurean view of the *summum bonum*. This is the opinion I have adopted, supposing *eo* to have fallen out between *maxime* and *quod*. It is conceivable also that *id est* has been inserted here, as in other places, by the copyists. In that case *quod* would be a conjunction.

3. **sciscat**: 'lays down as an ordinance,' a metaphor from legislation. But **asciscat** may be the right reading; cf. Tusc. 2, 30 omnia quae natura aspernetur in malis esse, quae asciscat,

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illum hosti detraxisse ut aliquam ex eo perciperet corpore voluptatem, aut cum Latinis tertio consulatu conflixisse apud Vesperim propter voluptatem. Quod vero securi percussit filium,

2 apud Vesperim: *Vesuvium* C (editio Coloniensis et Romana).
percusserit codd. omnes.

1. **corpore**: the opposite phrase *p. animo voluptatem* is common. As to *corpore* cf. 2 §§ 98, 106, 108, 115. Note the emphatic repetition of *voluptatem*, at the end of the two clauses.

2. **tertio consulatu**: 340 B.C., the first in 347, the second in 343. He was no doubt a young man at the time, so that it was natural that he should not have obtained the consulship until a good many years after.

apud Vesperim: excepting in Victor de Vir. Ill. 26 and 28, where V. is called a stream, the name only occurs in the phrases *ad Vesperim* or *apud Vesperim*. The words of Livy 8, 8, 19, haud procul radicibus Vesuvii montis qua via ad V. ferebat, point either to a town or a river. If a river, it must have been the Sarnus or some tributary. But there is great difficulty in supposing that the decisive battle in the Latin war was fought anywhere near Vesuvius. Diodorus (16, 90) mentions only a battle near Suessa. Some confusion of names between *Vescia*, *Vescinus ager* and *Vesperis*, may have led to the traditional account. The name Trifanum, where the Romans defeated the Latins and Campanians, is unknown but for one passage of Livy (8, 11, 11). Cf. *ad Mecium* in Liv. 6, 2, 8.

3. **securi percussit filium**: Virg. Aen. 6, 825 saevumque securi aspicere Torquatum. The story is told by Livy 8, 7, as an incident of the Latin war; by others (with less probability) it is referred to a Gaulish war. The traditional tale of the son's single combat with the Latin closely resembles the tale of the father's combat with the Gaul. [See Val. M. 2, 7, 6.] To another legend of the kind, belonging to an earlier date, Livy, 4, 29, 6, refuses credit.

percussit: it must be admitted that the subjunctive appears sometimes in *quod*-clauses in a manner for which it is very difficult to account. Madvig seems to give three reasons against the subjunctive: (1) that the fact embodied in the clause is historical; (2) that the clause is separated off from *videtur* ('it is thought') so that *oratio obliqua* does not operate; (3) 'ne sic quidem defendi

coniunctivum verborum ordo sinit, ut ultra veros fines progressa infinitae orationis vis putetur.' He appends, however, to (3) the remark 'scrupulum tamen hoc incit.' Objection (1) seems to have no relevancy; the certainty or even notoriousness of the fact embodied in the clause would not protect the verb from passing into the subjunctive; see n. on § 52. As to (2) it is hard to set bounds to the levelling effect of *oratio obliqua* over the whole range of a sentence. As to this see n. on *quod* arguerint, § 24. With respect to (3), Madvig sometimes uses the phrases *finita oratio*, *infinita oratio* in a very confusing manner. He seems here to mean that if *percusserit* be right a clause containing a definite and certain fact is treated as though the fact were indefinite and uncertain. Objection (3) therefore seems to coincide with objection (1). I have changed the reading, not because I think the subjunctive impossible, but for the reason that in Cicero there are a very large number of examples of a *quod*-clause made introductory to a sentence, and that in nearly all of these the indic. stands in the best mss. even when there is in the context some influence which might well have changed it. In view of the ease with which a perfect indic. passes into a perfect subj. in the mss., it is on the whole more likely that in passages like the present the codices are in fault than that Cicero changed his usage. But the matter is far from certain. In Div. 2, 37 the mss. give: tu vero quid habes quare putes, si paulo ante cor fuerit in tauro opimo, subito id in ipsa immolatione interis? an quod aspexerit vestitu purpureo excordem Caesarem, ipse corde privatus est? All recent edd. read *aspexit*, and if the subjunctive be right, there is nothing to explain it, but the vague idea of *oratio obliqua*. The same is the case with some exx. quoted by Madvig, as Div. 2, 67 (concliderit, poterit); Phil. 5, 17 habuerit; but the *quod*-clause in these passages comes after the beginning of the sentence; cf. also Opusc. p. 591.

Madvig notes three passages, Pis. 66

privavisse se etiam videtur multis voluptatibus, cum ipsi naturae
 24 patrioque amoris praetulerit ius maiestatis atque imperi. Quid?
 T. Torquatus, is qui consul cum Cn. Octavio fuit, cum illam
 severitatem in eo filio adhibuit quem in adoptionem D. Silano
 emancipaverat, ut eum Macedonum legatis accusantibus quod 5

3 cum Cn.: cum G. N. A.

and Verr. 2, 15; 5, 175, where he traces a survival of the old comic use of a *quod*-clause at the beginning of the sentence with a verb in subj. but referring to a supposed or future, not to a past and actual, fact (*si forte, etiam si*). But these passages can be easily brought within the range of those just mentioned. See his n. also for exx. of *quod* with subj. in Ovid = *quamquam*, e.g. Her. 4, 157.

[Note the difference between § 23, cum praetulerit, and § 24, cum adhibuit.]

2. *maiestatis atque imperi*: cf. Part. Or. 105 *maiestas est in imperi atque in nominis populi Romani dignitate*.

3. *consul...fuit*: in 165 B.C.

4. *D. Silano*: the Manlii were an old patrician family; the Iunii Silani were plebeians and their first consulship came in 109 B.C. Nothing is known of this Silanus, unless he be the D. Silanus who was one of those commissioned by the Senate after the destruction of Carthage to translate into Latin the agricultural writings of the Carthaginian Mago (Plin. n. h. 18, 22).

5. *emancipaverat*: this verb is used both of the process by which a son under *patria potestas* was passed over to an adoptive father's authority, and of the process by which a father extinguished his *patria potestas* and left the son *sui iuris*. The two processes were similar up to a certain point. The cumbrous forms used are described by Gaius, 1, §§ 132-4. The son was praetor in 142 B.C.

accusantibus quod, etc.: we have another short statement of the case in Livy, Epit. 54, and one much more detailed in Val. Max. 5, 8, 3, taken in all probability from the full text of Livy. According to this account the envoys laid complaint before the Senate, when the father begged 'ne quid ante de ea re statuerent quam ipse Macedonum filique sui causam inspexisset.' The request was unanimously granted and, having undertaken the investigation (*cognitione suscepta*), he took his seat alone, without advisers, on the bench. The hearing lasted three days; on the third witnesses were heard and this

sentence was given: 'cum Silanum filium meum pecunias a sociis accepisse probatum mihi sit, et re publica eum et domo mea indignum iudico protinusque e conspectu meo abire iubeo.' On the following night the son hanged himself, and the father, true to the traditional character of the Manlii, ignored the funeral, and ostentatiously gave his attention to his clients as *patronus* in his atrium while it was proceeding. The epitomator of Livy makes the inquiry held by the father appear somewhat more formal; he evidently thought the Senate in the first instance meant to sit in judgment and to pronounce sentence (*cum...vellet cognoscere*) and that Torquatus, having asked to be entrusted with the inquiry (*ut sibi cognitio mandaretur*), was appointed criminal judge in place of the Senate (*causa cognita filium condemnavit abdicavitque*); in fact that he was entrusted with a *quaestio extraordinaria*. None of the three accounts give the least warrant for supposing that the inquiry was a *iudicium domesticum* connected with the *patria potestas*. This supposition led to much useless discussion in the editions before Madvig's, and in some books on Roman law. And the loose, non-legal use of the technical words *cognoscere*, *cognitio* by Val. Max. and the epitomator of Livy, and of *pronuntiaret*, *videri* by Cicero, has betrayed some writers into the assumption that the Senate took the matter out of the cognisance of the *quaestio repetundarum*, which was established eight years before these events took place. But the complaint in the Senate was merely the natural and ordinary first step towards a prosecution before that court. The informality of the proceedings before the father is clearly shown by the fact that he sat without assessors; this, had he been acting officially, whether as president of a *quaestio extraordinaria*, or by virtue of *patria potestas*, would have been an offensive breach of traditional practice; and was unlikely to be committed by one who was himself a distinguished

pecunias praetorem in provincia cepisse arguerent, causam apud se dicere iuberet reque ex utraque parte audita pronuntiaret eum non talem videri fuisse in imperio quales eius maiores fuissent, et in conspectum suum venire vetuit, numquid tibi
5 videtur de voluptatibus suis cogitavisse? Sed ut omittam pericula, labores, dolorem etiam quem optimus quisque pro patria et pro suis suscipit, ut non modo nullam captet, sed etiam praetereat omnis voluptates, dolores denique quosvis suscipere malit quam deserere ullam officii partem, ad ea quae hoc non minus
10 declarant, sed videntur leviora, veniamus. Quid tibi, Torquate, 25

10 veniamus: *videamus* A¹.

lawyer (Val. Max. 1.1.). The case of *Tubulus*, mentioned in 2, 54, presents some of the same difficulties as that of *Silanus*; see n. there; also on 2, 60.

quod...arguerent: for *quod, ut arguebant*. This illogicality of drawing the verb of statement into the *oratio obliqua* construction is common; see above § 4 *quod...dicat*; *Madv.* Gram. § 357 a, Obs. 2; *Roby* § 1746. Mayor is, I think, right in explaining *dixerit* thus in N.D. 1, 20 illa palmaria quod, qui non modo natum mundum introduxerit, sed etiam manu paene factum, is eum dixerit fore sempiternum (= *quod...ut dixit, sempiternus sit futurus*). So too *responderint* in Div. 2, 66 nam quod haruspices responderint nihil illo clarius, nihil nobilius fore, miror deos immortales histrioni futuro claritatem ostendisse, nullam ostendisse Africano.

1. **pecunias...cepisse:** technical in this sense: cf. e.g. *lex Acilia* §§ 2, 3 pecuniae quod...ablatum captum coactum conciliatum aversumve siet; *Leg.* 3, 46 sequitur de captis pecuniis et de ambitu. Sometimes (but rarely) *contra leges* is added.

4. **et...vetuit:** a return is made to the construction of *adhibuit*, instead of continuing that of *iuberet* and *pronuntiaret*. As the order given to the son not to come into his father's presence was part of the *severitas*, it is strange that *et vetaret* was not written. Cf. nn. on 2, 61; 4, 43; *Verr.* 2, 5, 112 non solum ut laederet...verum scripsit.

5. **ut omittam...veniamus:** so *Ligar.* 20.

6. **pro...et pro:** so *inter* repeated in § 30 and *in* in § 34.

8. **dolores denique, etc.:** *Goerenz* and *Otto*, who defended these words as well written, are ranked by *Madvig* with the

'natio superstitiosorum Ciceroniano-rum.' On the other hand he says of *Davies* and others who treated the passage as spurious, on account of its careless phrasing: 'non tulerunt in *Cicerone* naevum; at quam multos in hoc opere et in omni hoc genere eius scriptorum non viderunt!' *Davies* says it is 'nefas vel suspicari' that *Cicero* could have written thus. But *Cicero* often awkwardly repeats or expands or emphasises something which has already been said earlier in the sentence. Similarly in 3, 12 instead of writing *qui omnia sic in utramque partem exaequaverunt uti nulla selectione viderentur* he says *qui omnia sic ex. ut in utramque partem ita paria redderent ut n. s. viderentur*. Cf. also 5, 57; and *Att.* 14, 20, 4 ut suscipiam cogitationem...quidnam putem.

quosvis: *Landgraf's* notion (on *Pro Rosc. Am.* 132) that this word is characteristic of *Cicero's* early style seems baseless.

suscipere malit quam d.: see n. on 2, 87.

10. **quid tibi, etc.:** it is assumed that devotion to study springs from some other impulse than that of pleasure. Cf. 5, 57 tantaque est vis talibus in studiis ut eos etiam qui sibi alios proposuerunt finis bonorum, quos utilitate aut voluptate derigunt, tamen in rebus quaerendis explicandisque naturis aetates contereere videamus. So *Epict.* *Diss.* 1, 20, 19 taunts *Epicurus* with inconsistency: *τί δὲ καὶ λύχρον ἄπτεις καὶ πονεῖς ὑπὲρ ἡμῶν καὶ τηλικαῦτα βιβλία γράφεις*; *ib.* 2, 20, 15 *τί οὖν ἦν τὸ ἐγείρον αὐτὸν ἐκ τῶν ὕπνων καὶ ἀναγκάζον γράφειν ἃ ἐγραφε; τί γὰρ ἄλλο ἢ τὸ πάντων τῶν ἐν ἀνθρώποις ἰσχυρότατον, ἡ φύσις ἔλκουσα ἐπὶ τὸ αὐτῆς βούλημα ἄκοντα καὶ στένοντα*;

quid huic Triario litterae, quid historiae cognitioque rerum, quid poetarum evolutio, quid tanta tot versuum memoria voluptatis affert? Nec mihi illud dixeris: 'haec enim ipsa mihi sunt voluptati, et erant illa Torquatis.' Numquam hoc ita defendit Epicurus neque Metrodorus aut quisquam eorum qui aut 5 saperet aliquid aut ista didicisset. Et quod quaeritur saepe cur tam multi sint Epicurei, sunt aliae quoque causae, sed multitu-

5 Metrodorus aut: ita P. Manutius: *vero tu aut* AE; *vero tu Triari aut* ed. Colon.; alia etiam magis mira sunt in codd. dett. Pro *vero tu* J. Adam coniecit *Erotion*; pro *Metrodorus*, *Patron* Gustafson

1. *historiae*: the plur. because the reference is to the writings of different historians, as below 5, 64; Acad. 2, 5; Att. 2, 5, 1; Fam. 5, 12, 2; Div. 2, 69; Scaur. 42 (the only passage in Cicero's speeches where *historia* is used). Thus in sense the word comes to differ little from the abstract *historia*; but in some uses, such as *leges historiae* (Fam. 5, 12, 3; cf. Leg. 1, 5; De Or. 2, 62), Cicero apparently does not use *historia* in the sense of 'anecdote,' 'fable,' 'myth,' which is so common in poets and later prose writers.

cognitio rerum: 'knowledge of facts' in the widest sense; so often, as below 4, 19; 5, 87; cf. 3, 37 rebus cognitione dignis. For another sense of *cognitio rerum* see n. on 3, 17.

2. *evolutio*: *evolvere librum* must have been first applied to the book in the form of a roll; but the phrase is extended to all books; e.g. Att. 9, 10, 4. The noun appears to be ἀπαξ ἐληγμένον here. *tanta tot*: cf. 2 § 68 n.

3. *nec...dixeris*: *nec=et ne*, rare in Cicero.

enim: here corresponds to our 'why' (non-interrogative) at the beginning of a sentence.

4. *numquam...defendit*: because *ipsa* above (=αὐτὰ καθ' αὐτά) implies that the pleasure taken in such things was for their own sake; so *ipsa per sese* below. Cf. 2, 107 and Plut. non posse suaviter vivi, etc., p. 1093 c ἐξωθοῦσι δὲ οἱ Ἑπικούρειοι καὶ τὰς ἀπὸ μαθημάτων ἡδονάς. See n. on 1, 72 (purilis).

hoc ita: n. on 2, 17 quod...ita me malle dixeram.

5. *Metrodorus*: we need here the name of one of the καθηγούμενοι or leaders of the school (see Usener, Ind. s. v. and p. 108, 28) or the μεγάλοι to whom Ep. wrote (ib. p. 134, 18); the constant conjunction of Metrod. with Epic. in

the Epicurean texts, as of almost equal authority with him, forbids us to suppose that Cicero made mention of any other Epicurean here. The whole context requires that the appeal should be to the strongest authorities in the Epicurean school. The corruptions of proper names in the mss. notoriously take a far wider range than errors in common words. [As to Epicurus or Metrodorus see Sen. ep. 33, 4.]

aut quisquam: although *neque* precedes; see 3, 71; Draeger § 343, 1, c, β. [Sen. ep. 14, 17 Epicuri est aut Metrodori aut alicuius ex illa officina.]

6. *saperet*: the verb here means 'to have sense' as in many common phrases, *si sapiis, nihil sapere*, etc. There is no allusion to the use of the title σοφός in the Epicurean school (2, 7 n.); certainly none (as Dr Adam supposed) to the palate (2, 24 n.). *Sapere aliquid* is of course a common phrase in all periods; but an accusative like *recta* [given in mss., cf. Att. 14, 5, 1] is hardly possible. My correction *recte* for *recta* in Att. 1. c. was adopted by Tyrrell and Purser.

cur tam multi, etc.: Cicero discusses in Tusc. 4, 6 the question why there are so many Epicureans in Italy, and gives three reasons: (1) that the multitude were enticed *illecebris blandae voluptatis*; (2) that the only philosophical writings accessible in Latin were Epicurean; (3) the system was *cognitu perfacilis*. Cf. 2, 44 nescio quo modo populus cum illis facit; and Introd. to my ed. of Acad. p. 21. On the other hand Epic. himself said: οὐδέποτε ὠρέχθην τοῖς πολλοῖς ἀρέσκειν· ἃ μὲν γὰρ ἐκείνοις ἤρεσκεν, οὐκ ἔμαθον· ἃ δ' ἦδεν ἐγώ, μακρὰν ἦν τῆς ἐκείνων ἀσθήσεως (Gnomologion Parisinum, qu. by Usener, p. 157; rendered by Sen. ep. 29, 10).

7. *aliae*: proleptic, as *ceteri* often is.

dinem haec maxime allicit, quod ita putant dici ab illo, recta et honesta quae sint, ea facere ipsa per se laetitiam, id est voluptatem. Homines optimi non intellegunt totam rationem everti, si ita res se habeat. Nam si concederetur, etiamsi ad corpus nihil 5 referatur, ista sua sponte et per se esse iucunda, per se esset et virtus et cognitio rerum, quod minime ille volt, expetenda. Haec 26 igitur Epicuri non probo, inquam. De cetero vellem equidem aut

2 laetitiam: *licenciam* E.

5 esse iucunda: *esset iocunda* A.

1. **putant**: substantially, the view of the *multitudo* concerning the teaching of Epicurus is correct; see nn. on § 42. Cicero does not make a collective noun and a plural verb agree together, when the noun and the verb stand in the same clause. The doctrine which Cicero here says the crowd falsely attribute to Epicurus is indistinguishable from that which we know him to have actually taught (see nn. on § 42; 2, 48). The argument in the source on which Cicero drew must here have been abbreviated and obscured. The supposed doctrine is modified below by the introduction of the words *etiamsi ad corpus nihil referatur*.

3. **homines optimi**: a phrase rare in Cicero compared with *viri optimi*, which is often applied to the Epicureans, as in Tusc. 1, 6; 2, 44; 3, 50.

4. **si ita res se habeat**: this order and *s. i. se res h. are*, as Madvig shows, both common.

5. **referatur**: in all Latin the tendency is to accommodate the tense of the verb in the secondary clause to that of the verb in the primary clause, even in cases where, as here, the secondary clause gives expression to a present or abiding fact. Cicero carries this accommodation of tenses farther than other writers; cf. below § 27 quae diceret; § 66 quae pertinerent; § 68 inhaerent; 2, 22 cum esset, ut ais tu, voluptas nihil dolere; 2, 119. But the clause *etiamsi...referatur* is here really correlated with *ista...iucunda*, rather than with *si concederetur*. For similar exceptions cf. N.D. 3, 10 (where there are two verbs, one accommodated and one not); ib. 2, 1; Tusc. 1, 60; Div. 2, 122; Fam. 13, 6 a, 4. See also below, 4, 31. As to the form of the conditional see Draeger, Hist. Synt. § 151.

esset et virtus et cognitio: for the concord cf. Draeger, § 102. Cicero's argument trifles. He wants to prove that *recta et honesta*, apart from pleasure, are *expetenda*, but he cannot deduce this

from the assumption that virtue and pleasure are organically inseparable.

6. **quod minime...volt**: so Acad. 2, 138 quod m. voltis; ib. 2, 18.

haec Epicuri: so below, § 27 quid...eius; n. on 4, 32.

7. **de cetero**: small clauses of this form with *de* are frequent in Cicero at the beginning of the sentence, particularly in the Letters; see exx. in a n. of C. F. W. Müller on Fam. 1, 9, 19. Clauses of the kind are common in the less formal parts of Latin literature; so often in Varro r. r. (exx. in Keil's n. on 2, 3, 2); Ad Herenn. 2, 15 (see *Max*); Martial, 1, 18, 5 (with the quotations in Friedländer's n.).

vellem...instructor: the Epicureans passed everywhere for *ἀπαιδευτοί*, like the Cynics at an earlier time (Arist. Met. 1043 b, 24). A passage in a letter of Epicurus addressed to Pythocles was much quoted and sometimes misquoted: *παιδείαν δὲ πᾶσαν, μακάριε, φείγε, τὰ κάττιον ἀράμενος* (Diog. L., 10, 6). 'Culture' was thus compared with the Sirens, and the youth was exhorted, like Odysseus, to drive his bark at high speed past the rocks: so in a letter to one Apelles: *μακαρίζω σε, ὅτι καθαρὸς πάσης παιδείας ἐπὶ φιλοσοφίαν ὥρμησας*. But Quintilian goes too far when he renders *παιδείαν πᾶσαν* by *disciplinas omnis* (2, 17, 15; cf. 12, 2, 24). Doubtless Epic. had his own idea of education, though he disliked the ordinary rhetorical and literary education of his day; cf. Athen. 13, 588 a *ἐγκυκλίον παιδείας ἀμύητος ὢν*. That, with Plato, and Xenophanes and many another, he depreciated Homer, and poetry generally, is clear (Usener, fragm. 228, 9). Considering the view held by him about the share which mythology had in creating the misery of life, he could hardly do otherwise. His opinion of mathematics we have had already, and he felt no respect for rhetoric or music, at least as ordinarily taught. Yet it is likely that Epic. held views of his own as to the form which all

ipse doctrinis fuisset instructor (est enim, quod tibi ita videri necesse est, non satis politus eis artibus, quas qui tenent, eruditi appellantur) aut ne deterrisset alios a studiis. Quamquam te quidem video minime esse deterritum.

VIII. Quae cum dixissem, magis ut illum provocarem quam 5 ut ipse loquerer, tum Triarius leniter arridens: Tu quidem, inquit, totum Epicurum paene e philosophorum choro sustulisti. Quid ei reliquisti nisi te, quoquo modo loqueretur, intellegere quid diceret? Aliena dixit in physicis nec ea ipsa quae tibi probarentur; si qua in eis corrigere voluit, deteriora fecit; disserendi 10 artem nullam habuit; voluptatem cum summum bonum diceret, primum in eo ipso parum vidit, deinde hoc quoque alienum; nam ante Aristippus, et ille melius. Addidisti ad extremum etiam 27 indoctum fuisse. Fieri, inquam, Triari, nullo pacto potest ut non

6 leniter: *leniter* AE. 8 quoquo: *quoque* A¹. 10 deteriora...*voluptatem*: om. E. 13 ille: *illo* C. F. W. Müller. melius: post hoc inserunt codd. multi additamentum insulsum '*etenim quoniam detractis de homine sensibus*,' quae verba sunt in § 30. Eiecit primus Manutius. addidisti: *disti* E.

these arts ought to take. At least his 'wise man' will alone be able to discourse rightly of poetry and music (Diog. L. 10, 121), while treatises were written on these subjects by pupils of the school, as Diogenes of Tarsus, Philodemus and even Metrodorus, though with his master he denounced Homer roundly. It may be noted that Epicurus regarded Pyrrho as ἀμαθὴ καὶ ἀπαιδευτὸν (Diog. L. 10, 8). Cf. § 72 with nn. [Aristippus also denounced πολυμάθεια, Diog. L. 2, 71, 79.] So Democritus (Hirzel, 1, 159) and Heraclitus.

1. quod...ita: see 2, 17 n.

2. artibus: so Rep. 1, 28 politi propriis humanitatis artibus. In Pis. 59 Cicero ironically speaks of Piso the Epicurean as *politus e schola*; and in writing to Memmius (Fam. 13, 1, 5) he begs him to believe that Atticus is not to be ranked with the school: 'est enim omni liberali doctrina politissimus.'

quas qui: the tendency to place relatives side by side is common; so in this book, §§ 49, 52, 60, 64, 67, 72.

eruditi: cf. *ineruditus* in § 72.

5. provocarem: so κινεῖν, 'to draw out,' in Plat. Rep. 329 D βουλόμενος ἐπὶ λέγειν αὐτὸν ἐκινουν.

7. choro: perhaps imitated from Plato's frequent use of χορός applied to a school of philosophers. So Plato's

κορυφαῖος, a leader in philosophy, is copied in N.D. 1, 59, where see Mayer's n. Cf. Dion. Hal. de comp. verb. 24, p. 188 Ἐπικουρείων χορόν; and an inscr. in Orelli, 1193 (Dessau 7781, Büch. 961) Stallius Gaius has sedes Hauranus tuetur | ex Epicureio gaudivigente choro.

9. aliena dixit: so Plat. Phileb. 29 A ἀλλότρια ἀνευ κινδύνου λέγειν.

10. in eis: sc. *physicis*.

12. primum...Aristippus: reference is here made to words which existed in the lacuna at § 23.

13. et ille: *et is* or *atque is* or *isque* might have been expected; see Kühner, Gram. § 118, Anmerk. 16. Although I cannot quote an example of *et ille* exactly like the present one, yet in other connexions *ille* is substituted for *is* in order to gain emphasis, and I see no reason for changing it to *illo* here. [Cf. Tusc. 2, 67 M. Cras ergo ad clepsydrum ...A. Ita prorsus, et illud quidem ante meridiem.] Havet says *illo* is contrary to laws of rhythm which require trochee not spondee before final ~ ~ ~. Indeed ~ ~ ~ is rare at end of sentence. It is absent from many of Cicero's writings, but is found in Lael. 17 quamvis subito, 23 cadere patitur, 25 a te potius; Off. 3, 39 quidnam facerent, 63 quod non liceat, 75 nulla fraus aberit, nullum facinus; Parad. 19 si esset misera.

ad extr.: so Div. 2, 25 addunt ad extremum.

dicas quid non probes eius a quo dissentias. Quid enim me prohiberet Epicureum esse, si probarem quae ille diceret, cum praesertim illa perdiscere ludus esset? Quam ob rem dissentientium inter se reprehensiones non sunt vituperandae; maledicta, 5 contumeliae, tum iracundae contentiones concertationesque in disputando pertinaces indignae philosophia mihi videri solent. Tum Torquatus: Prorsus, inquit, assentior; neque enim disputari 28 sine reprehensione nec cum iracundia aut pertinacia recte dis-

1 eius: om. E.

3 dissentientium: *disserentium* non nulli, etiam P.

5 iracundae: sic Lambinus, alii; quod probat, non tamen scribit C. F. W. Müller. *iracundiae* codd. quod fort. retinendum est. 7 tum: *tunc* ed. Colon. (non P).

1. quid...eius: cf. τοῦτο αὐτῶν, τὸδε αὐτῶν, common in Plato.

prohiberet...esse: while the infinitive constr. is common after *prohibere* in Cicero, in the philosophical works there is no ex. of *quo minus* with this verb, and in the speeches it only occurs twice (Verr. 2, 1, 85 and 2, 2, 14). There is no instance of *pr. quo minus* in Caesar; but in Tac. there are three, and one of *pr. quin*, while in both authors the infin. with or without acc. is frequent.

3. perdiscere ludus esset: similarly Virg. Aen. 9, 606 flectere ludus equos et spicula tendere cornu; Hor. s. 2, 2, 123; Stat. Ach. 2, 440. Cf. De Or. 2, 72 omnium ceterarum rerum oratio...ludus est homini non hebeti. Below, 4, 1, speaking of the Stoic scheme, Cicero says 'non est facile perdiscere.'

5. iracundae: there would be nothing unnatural in the plural noun *iracundiae*, cf. Tusc. 3, 7: Rep. 1, 60.

6. indignae philosophia: Cicero often thus speaks in the New Academic vein; cf. Tusc. 4, 7; Plut. non posse s. v. (of Epicureans) 19, 1100 *ἀ καὶ βιβλία μὴ λέγωμεν μηδὲ ψηφίσματα βλάσφημα πόλεων ὅσα γέγραπται πρὸς αὐτοὺς* φιλαπexθήμον γάρ: also the Epicurean γνῶμαι published by Wotke-Usener, § 74 ἐν φιλολόγῳ συζητήσῃ πλεῖον ἤνυσεν ὁ ἡττηθεὶς, καθ' ὃ προσέμαθεν.

7. tum: it would be hard to prove the dictum of Madvig in his n. here: 'in transitu et progressu orationis numquam ponitur *tunc*, quae particula rem uno aliquo temporis puncto definit.' Certainly the mss. of Caesar give *tunc* in cases like the present. But the mss. have a tendency to substitute *tunc* for *tum*, improperly; even where e.g. there is correspondence with *tum*, for which see C. F. W. Müller's n. on Fam. 3, 5, 3. It is even doubtful whether Cicero wrote

tunc before consonants. The three exx. given by the mss. of Lucr. are corrected by Lachmann and Munro. In Ovid (excluding the Metamorphoses) the mss. give about 25 exx. of *tunc* before a consonant; in all, however, but a few, the following word begins with *c* or *q*, so that this may well have been the cause of the change from *tum* to *tunc*. Ellis gives *tunc* twice before consonants in Catullus (66, 24; 44, 21). Eight exx. in Tibullus. Merguet qu. from Caesar eight exx., four before *c* or *q*. *Tunc* is extraordinarily rare in Cicero compared with *tum*. Merguet quotes over 800 passages from the philosophical works for *tum* as against eight for *tunc*. Two are marked as doubtful, and suspicion must rest on some of the remainder. Is it conceivable that Cicero should (in his philosophic works) have written *tum...cum*, and *cum...tum* very many times, and have substituted *tunc* in two instances? In speeches about 21 exx. (seven before guttural). But some later authors prefer *tunc*; e.g. Lucan, in whose text the few exx. of *tum* given by mss. have been for the most part changed by edd.

8. iracundia: fragments of a treatise by Philodemus on anger have been preserved in one of the Herculean rolls, and disquisitions on this and other vices destructive of quietude were no doubt common in the Epicurean school.

pertinacia: usually vicious persistency; see my n. on Acad. 1, 44; below, 2 §§ 9, 107.

recte disputari: there is a sort of chiasmus here, these words coming after the prepositional phrases with *cum*, and corresponding to *disputari* above, which precedes the prepositional phrase with *sine*. See illustrations in Nägelsbach, § 167, I, 1.

putari potest. Sed ad haec, nisi molestum est, habeo quae velim. An me, inquam, nisi te audire vellem, censes haec dicturum fuisse? Vtrum igitur [inquit] percurri omnem Epicuri disciplinam placet, an de una voluptate quaeri, de qua omne certamen est? Tuo vero id quidem, inquam, arbitrato. Sic faciam igitur, in- 5 quit: unam rem explicabo, eamque maximam, de physicis alias, et quidem tibi et declinationem istam atomorum et magnitudinem solis probabo et Democriti errata ab Epicuro reprehensa et correcta permulta. Nunc dicam de voluptate, nihil scilicet novi, ea tamen quae te ipsum probaturum esse confidam. Certe, 10 inquam, pertinax non ero tibi, si mihi probabis ea quae dices,

2 an: ita P¹; *at* ceteri. 3 igitur percurri: *qui percurri* E; *igitur inquit percurri* A²; *inquit* servat C. F. W. M. 5 inquam: om. P (sed litura subest).

1. *nisi molestum est*: Plat. Tim. 17 b *ei μή τί σοι χαλεπόν*; *my n.* on Acad. 1, 14.

quae velim: sc. *dicere*; the *ellipse* as in 2, 59 sed nimis multa; 4, 1 omittamus contra omnino velle aliquid; 4, 2 non soleo temere contra Stoicos; *ibid.* quare ad ea primum (sc. respondeatur); 4, 7 ista ipsa quae tu breviter; 5, 85 ne longius; so too in numerous other passages of Cicero, and ordinary phrases, like *sed haec hactenus*; and de *physicis* *alias* below.

2. *an*: the confusion between *at* and *an* in the codd. is constant and begins early; and *at* does not introduce a question in Cicero. On the other hand such interrogations as this are frequently introduced by *an*; see e.g. 2, 74.

3. *utrum igitur*: the change from one speaker to another is not indicated by *inquit*; the omission may be found elsewhere, and the insertion of the word in A² is an idle correction.

percurri omnem: cf. the inscr. of Oinoanda, where the reader is implored to study the system *ὁ κατὰ τμήματα*, but as a whole (Bull. de Corr. Hell. xxi, p. 407).

4. *omne certamen*: the present book being entirely ethical. But it is incorrect to put these words into the mouth of Torquatus, as they do not agree with his next speech. Cf. 2, 5 quid sit voluptas, de quo omnis haec quaestio est. [In a sense, everything in the Epicurean system hangs on pleasure; even physics are only to be studied in order to pave the way to it.] Torquatus does in §§ 63, 64 touch the subject of physics, but from an ethical point of view.

5. *igitur*: here in the third place in the sentence, as often; but the word

rarely appears in the fourth place, and in the fifth only in special circumstances, as Acad. 2, 129 qua de re est igitur, owing to the tendency of *igitur* to follow *est*; cf. too Tusc. 1, 82 ne in animo quidem igitur, owing to the accident of a prepositional phrase intervening between *ne* and *quidem*. (These are the only two passages in Cicero's philosophical writings where *igitur* occupies a place later than the fourth.)

6. *alias*: contrasted with *nunc* down below; the same contrast in 5, 77, and often; cf. 4, 5 qui sit finis bonorum, mox, hoc loco tantum dico...; 5, 22 sed nunc quod agimus, de illis cum volumus; *my n.* on Lael. § 1.

8. *reprehensa et correcta*: the words go closely together, 'detected and amended.' Possibly *et* has fallen out before *reprehensa*. For the meaning of *reprehensa* see n. on 2, 3 apprehendas. Bremi, because the fact of the adverse criticism was notorious, and because there is no particular merit in it, conjectured *deprehensa*; but *deprehendere*, meaning 'to detect,' is only used in good Latin of something morally wrong. It may be noted that the only reforms in the scheme of Democritus which are here attributed to Epicurus are in the region of physics. Possibly one of the corrections thought of here is that which lies in the notion that Democritus did not attribute weight to the atoms [Diels, Doxogr. 219]. See curious passage, Aetius Plac. 1, 12, 6; cf. 1, 3, 18. Also the possibility of a gigantic atom (cf. Lucr. 2, 481-98)—see also Diels, 252, 311.

10. *confidam*: consecutive subj.

libenter assentiar. Probabo, inquit, modo ista sis aequitate 29
quam ostendis. Sed uti oratione perpetua malo quam interrogare
aut interrogari. Vt placet, inquam. Tum dicere exorsus est.

IX. Primum igitur, inquit, sic agam, ut ipsi auctori huius
5 disciplinae placet: constituam quid et quale sit id, de quo
quaerimus, non quo ignorare vos arbitrer, sed ut ratione et via
procedat oratio. Quaerimus igitur quid sit extremum et ultimum
bonorum quod omnium philosophorum sententia tale debet esse
ut ad id omnia referri oporteat, ipsum autem nusquam. Hoc
10 Epicurus in voluptate ponit, quod summum bonum esse volt,
summumque malum dolorem, idque instituit docere sic: Omne 30

3 tum: *tunc* non nulli (non P). 9 ut: om. E. 11 idque...docere: om. BE.

1. *sis*: 'continue all the while to show.'

2. *quam*: Madvig has an interesting note on the reading of Victorius (*qua*), pointing out the limits of this kind of attraction in Latin. It comes from the compression of an infinitive construction; thus Hor. (s. 1, 6, 15), iudice quo nosti populo is for *iudice quem iudicem esse nosti populo*; and Fam. 5, 14, 1 cum aliquid agas eorum quorum consuesti, for *eorum quae consuesti agere*. But the only ex. of the sort which the mss. give us in Cicero is Att. 10, 8, 7 nos tamen hoc affirmamus eo augurio quo diximus, and the text is almost certainly wrong there, *quo* being an error either for *quod* or for *quo de*.

ostendis: 'promise,' as in Fam. 9, 8, 1 and often.

oratione perpetua: after Plato's time, the philosophic dialogue, in the hands of Aristotle, Theophrastus, Heraclides and others, preferred what the Platonic Socrates called 'long speech' to 'short speech' with its rapid interchange of question and answer. See the *Introd.* to my ed. of the *Academica*, p. 25; Fin. 2, 2; Diog. L. 9, 111 *αὐτοδιήγητος ἐρμηνεία*.

quam...interrogari: 'than to question you (about your difficulties) or let you question me.' There is no need (as has been proposed) to read *et interrogari*, so as to bring about a correspondence with Plato's phrase *δοῦναι καὶ δέχεσθαι λόγον*.

5. *quid et quale*: *τί καὶ ποῖόν τι*: so below, § 37 and 2, 6. In spite of the statement of Torquatus here concerning Epicurus, Cic. in 2, 5 describes this particular definition as having been given by Torquatus 'inadvertently' (*imprudens*). Epic., as we have seen, regarded

as useless the rules propounded for definition by the *διαλεκτικοί*. Yet he laid great stress on accuracy in the use of terms, so that they may represent precisely the things signified. See § 63 n. and 2, 6 n.

6. *ratione et via*: so 2, 18 and 3, 18, but 2, 3 via quadam et ratione; cf. Top. 2 via atque arte; Pro Quinct. 28 modo et ratione. Here *via* has a *κατ' ἐξοχήν* sense, 'the right way,' like *τρόπος* in the expressions *κατὰ τρόπον*, *οὐκ ἀπὸ τρόπου*: so often *locus* for 'the right place' (Sen. ep. 46, 2).

8. *tale debet esse*, etc.: i.e. it must be chosen for its own sake and not as a means for the attainment of something beyond. See § 42, and cf. Plato, Gorg. 499 E *τέλος εἶναι ἀπασῶν τῶν πράξεων τὸ ἀγαθὸν καὶ ἐκείνου ἕνεκεν δεῖν πάντα τὰλλα πράττεσθαι, ἀλλ' οὐκ ἐκείνου τῶν ἄλλων*: Arist. Eth. N. 1, 2, 1 (1094a, 18) *εἰ δὲ τί τέλος ἐστὶ τῶν πρακτῶν δ δι' αὐτὸ βουλευόμεθα, τὰλλα δὲ διὰ τοῦτο καὶ μὴ πάντα δι' ἕτερον αἰρούμεθα...δὴλον ὡς τοῦτο ἂν εἴη τάγαθον καὶ τὸ ἀριστον*: Arist. Met. 1. 994 b, 9 *τὸ οὐ ἕνεκα τέλους τοιοῦτον δ μὴ ἄλλου ἕνεκα ἀλλὰ τὰλλα ἐκείνου*: Stob. Eth. 2, 6, 3 *λέγεται δὲ ὑπὸ τῶν Στωικῶν ὁρικῶς 'τέλος ἐστὶν οὐ ἕνεκα πάντα πράττεται καθηκόντως, αὐτὸ δὲ πράττεται οὐδενὸς ἕνεκα' βραχύνως 'οὐ χάριν τὰλλα, αὐτὸ δ' οὐδενός.' καὶ πάλιν 'ἐφ' ὃ πάντα τὰ ἐν τῷ βίῳ πραττόμενα καθηκόντως τὴν ἀναφορὰν λαμβάνει, αὐτὸ δὲ ἐπ' οὐδέν.'* The last definition agrees closely with the one we have here and in § 42; cf. 2, 5.

9. *hoc...idque*: see n. on 2, 49.

11. *docere*: 'to prove'; for the context cf. 3, 27 *concluduntur igitur eorum argumenta sic*.

omne animal, etc.: the same foundation had been laid for the hedonistic

animal, simul atque natum sit, voluptatem appetere eaque gaudere ut summo bono, dolorem aspernari ut summum malum et, quantum possit, a se repellere, idque facere nondum depravat-um, ipsa natura incorrupte atque integre iudicante. Itaque negat opus esse **ratione** neque disputatione, quam ob rem voluptas 5

ethics by predecessors of Epicurus: see Arist. Eth. Nic. 10, 2, 1 (1172 b, 9 sq.) Εὐδοξος μὲν οὖν τὴν ἡδονὴν τάχαθόν φησὶ εἶναι διὰ τὸ πάνθ' ὁρᾶν ἐφίεμενα αὐτῆς καὶ ἔλλογα καὶ ἄλογα: and by Aristippus; cf. Diog. L. 2, 88. The criticism which Aristotle makes is that the fact adduced proves ἡδονή to be an ἀγαθόν, but not the ἀγαθόν, the supreme good. Further, the Hedonists assumed pleasure to be the same for all sentient beings, but 'δοκεῖ εἶναι ἐκάστῳ ζῳῷ ἡδονὴ οἰκεία, ὥσπερ καὶ ἔργον' (Arist. Eth. N. 10, 5, 8 or 1176 a, 3). Aristotle explains the universal desire for pleasure by the universal desire for life, of which pleasure is an accompaniment (ib. 10, 4, 10 or 1175 a, 15). Cf. nn. on 2, 31 sq. where Cicero refutes the fundamental doctrine of the Epicurean ethics. Aristippus (Diog. L. 2, 88) argued on the same lines as Eudoxus.

1. **appetere**: οἰκειοῦσθαι πρὸς αὐτὴν (sc. τὴν ἡδονήν) is the phrase introduced to Aristippus by Diog. L. 2, 88. In Diog. L. 10, 137 the curious word εὐ-αριστεῖσθαι is quoted from Epicurus, which should be εὐαρεστεῖσθαι.

2. **dolorem**: Eudoxus and other Hedonists appealed to the universal instinctive repulsion from pain: see Arist. Eth. Nic. 10, 2, 2 (1172 b, 18) οὐχ ἥττον δ' ὥστ' εἶναι φανερόν ἐκ τοῦ ἐναντίου· τὴν γὰρ λύπην καθ' αὐτὸ πᾶσι φευκτὸν εἶναι ὁμοίως δὲ τοῦναντίον αἰρετόν.

aspernari: Epic. used προσκρούειν (Diog. L. 10, 137) as well as φεύγειν and ἀλλοτριοῦσθαι. For the latter cf. Democritus as quoted by Diotimus ap. Sext. A. M. 7, 140 αἰρέσεως δὲ καὶ φυγῆς (κριτήρια) τὰ πάθη τὸ μὲν γὰρ ᾧ προσοικειούμεθα, τοῦτο αἰρετόν ἐστι, τὸ δὲ ᾧ προσαλλοτριούμεθα, τοῦτο φευκτόν ἐστι. For οἰκεῖον and ἀλλότριον the words ὁμόφυλον and ἀλλόφυλον seem to be substituted by Philodemus in his treatise περὶ θεῶν διαγωγῆς, the fragments of which have been edited by Scott, Fragmenta Herculanensia, pp. 93-203. In fr. 1, 1. 14, it is intimated that there is no such thing as ἀλλο-τρίωσις in the case of a god. All his experiences are pleasurable; he συνεχῶς

ἡδεται (fr. 18, 1. 1). He must experience nothing ἀλλόφυλον, but πάντα οἰκεῖα (ib. 1. 5). Again in fr. 41 οἰκεῖα and ἀλλόφυλα are contrasted (in the context are the words ὥκειωμένα ἀδιαλείπτως). So in fr. 32 the ἀλλόφυλον is set over against freedom from all ὀχλήσις, because the god enjoys only τὰς καθ' ἡσυχίαν λεγομένας ἡδονάς (fr. 25). Prof. Scott gives a somewhat different interpretation to ἀλλόφυλον, but it seems to me not so suitable; he refers the word to the theory of the nutriment by which the substance of the divine body was sustained, a matter certainly touched on in the treatise (see τροφήν in fr. 52 and 77).

3. **nondum depravat**: Sext. P. H. 3, 194 ὅθεν καὶ οἱ Ἐπικούρειοι δεικνύναι νομίζουσι, φύσει αἰρετὴν εἶναι τὴν ἡδονήν· τὰ γὰρ ζῳά φασιν ἅμα τῷ γενέσθαι ἀδιάσπαραφα ὄντα ὁρᾶν μὲν ἐπὶ τὴν ἡδονήν, ἐκκλίνειν δὲ ἀλγῆδονας. So Sext. A. M. 11, 96 quotes Epic. as saying that τὸ ζῶον feels this attraction and repulsion 'φυσικῶς καὶ ἀδιδάκτως,' while it is not yet enslaved by vain imaginations, 'μηδέπω κατὰ δόξαν δουλεύον.' In 2, 31 Cicero rallies Epicurus for regarding animals as 'mirrors of nature,' and ib. 109 protests against the evidence of beasts in the matter of the supreme good. Cf. also 2, 33 bestiarum vero nullum iudicium puto; quamvis enim depravatae non sint, pravae tamen esse possunt; 1, 50 natura non depravata. Aristippus held (Diog. L. 2, 89) that if men reject pleasure it is κατὰ διαστροφήν.

4. **incorrupte atque integre**: § 71 incorruptis atque integris testibus; Acad. 2, 19.

5. **negat**, etc.: so Epic. ap. Diog. L. 10, 137 says that the attraction to pleasure and the repulsion from pain are experienced 'φυσικῶς καὶ χωρὶς λόγου' αὐτοπαθῶς οὖν φεύγοντες τὴν ἀλγῆδονα.' So Eudoxus urged 'οὐδένα ἐπερωτᾶν τίνος ἔνεκα ἡδεται, ὥς καθ' αὐτὴν....' Cf. Galen, de plac. H. et P. p. 487, 8 (ed. Müller) οὐ μακρὸν λόγον οὐδὲ ἀποδείξεων ἀκριβεστέρων δεόμενα, μόνης δὲ ἀναμνή-σεως ὧν ἐκάστοτε πάσχομεν, ὥς καὶ Πλάτων

expetenda, fugiendus dolor sit. Sentiri haec putat, ut calere ignem, nivem esse albam, mel dulce; quorum nihil oporteret exquisitis rationibus confirmare, tantum satis esse admonere. Interesse enim inter argumentum conclusionemque rationis et

2 oporteret: sic codd. omnes.

4 argumentum: *augmentatum* A.

δόντος εἶπεν. Usener (p. 350 n.) says it is clear from the passage of Galen that Cicero wrote in the text *oratione* not *ratione*. I do not see that the words of Galen have any direct bearing on the terms used here; but if they have, they support *ratione*, as far more likely to be chosen by Cicero to represent λόγων.

neque: for the negative after *negat* see Draeger § 325 (=II, p. 85).

quam ob rem: for the ellipse (*ut demonstratur*) see n. on 1, 14.

1. *sentiri haec putat*: cf. Plut. in Colot. c. 27 (1122 d) αἰσθησιν ἔχειν δεῖ καὶ σάρκινον εἶναι καὶ φανέεται ἡδονὴ τὰγαθόν (mss. ἀγαθόν). The desirability of pleasure (so Dem. as reported by Diotimus ap. Sext. A. M. 7, 140) is to the Epicurean attested by πάθος, a test of truth behind which no reasoning can get. The notion of it (πρόληψις) is impressed on the mind by repeated experience, and no argumentation can make it clearer. For the Epicurean πρόληψις and its relation to φθόγγοι see n. on 2, 6. So in 5, 27 Piso treats the impulse to self-preservation as 'infixum in ipsa natura.' It also 'comprehenditur suis cuiusque sensibus' (i.e. is matter of πάθος) and reasoning about it is superfluous. Much in the same spirit Aristotle discourses of the difficulty of demonstrating ἀρχαί in Ethics and says that in some cases we must be content to have a clear statement of fundamental assumptions (δειχθῆναι τὸ ὅτι καλῶς).

haec: for the reading *hoc*, 'this kind of thing,' cf. Acad. 2, 49 soritas *hoc* vocant, with my n.; Ovid, Tr. 2, 501 and also 2, 285 cum quaedam spatiantur in *hoc*, ut amator eodem | conveniat, quare porticus ulla patet, where *hoc*, 'this kind of place,' is a far better reading than *haec*. The generic use of *id*, *quod* is common in Varro; see Keil on r. 1, 2, 3, 6. So often τοῦτο in Greek, as e.g. Dem. Leoch. § 63.

2. *nivem esse albam*: a fact which Anaxagoras paradoxically contested; see Acad. 2 § 72, 100, with my nn.

oporteret: Madv. says that if we read *oporteret* we must also read *esset*, but the presence of the relative in the earlier

clause makes all the difference. This passage is strictly parallel with § 19 quo nihil posset fieri minus; ita effici, and many others in Latin authors. Cf. Acad. 1, 41 and the passages to which reference is made in my note there.

3. *confirmare*: after the impersonal expressions *oporteret* and *satis esse*, it would have been more usual to write *confirmari...admoneri*; but there is no need to change the readings, as Latin writers easily pass from the one form to the other in such cases; cf. e.g. Ad Herenn. 2, 11; but ib. § 2 the reading *quales sequi quales vitari oporteret* can hardly be right.

tantum satis esse: a not very common form of phrase. Madvig partly from preceding editors cites De Or. 2, 139 *tantum satis est* intellegi ne hoc quidem eos consecutos...; Div. 2, 104; Nep. Hann. 10, 5; also Cic. Sull. 39 iam non quaero purgetne Cassius Sullam; illud mihi *tantum satis est* contra Sullam nihil esse in indicio. In the last passage *illud tantum* is restrictive, 'merely this one fact is enough'; but Madvig strangely supposes *tantum satis* to have coalesced so as almost to form a single phrase, and the sense to be *illud est tantum-satis* ('schon genug'). For *tantum illud*, 'that one thing,' cf. (*si tanti est*) Sall. Jug. 14 § 20.

admonere: cf. the closely similar passage in 3, 3.

4. *argumentum conclusionemque rationis*: Cicero's most ordinary rendering of συλλογισμός is *conclusio rationis*; so συλλογίζεσθαι is *concludere rationem*; but the Latin words correspond more closely to συμπεραίνειν and συμπεράσμα. Also *concludere argumentum* and *argumenti conclusio* are common phrases; cf. also 4, 9 argumentorum ratione *concludendum*. Here *argumentum* seems to represent some word of wider meaning than συλλογισμός, such as ἀπόδειξις, although *argumenti conclusio* and ἀπόδειξις are sometimes identified (Ac. 2, 26). For *argumentatio* see 5, 9 n. Madvig's contention that *argumenti sententiam concludere* in N.D. 1, 89 is an impossible phrase is confuted by C. F. W. Müller *ad loc.* In all proba-

inter mediocrem animadversionem atque admonitionem; altera occulta quaedam et quasi involuta aperiri, altera prompta et aperta iudicari. Etenim quoniam detractis de homine sensibus reliqui nihil est, necesse est, quid aut ad naturam aut contra sit, a natura ipsa iudicari. Ea quid percipit aut quid iudicat, quo 5 aut petat aut fugiat aliquid, praeter voluptatem et dolorem?

31 Sunt autem quidam e nostris, qui haec subtilius velint tradere

3 iudicari: *indicari* Orelli. Post hoc inserunt *voluptatem etiam et per se expetendam esse et dolorem ipsum per se esse expetendum* P et alii non nulli. 5 ea quid: *ei quid E; en quid P¹* (in marg. 'vel ea').

bility Epicurus made little use of the Aristotelian scheme of deductive reasoning, but we have no reason to suppose that here Cicero's authority has put into the mouth of Epic. words that he could not have used himself.

et inter: the illogical repetition of *inter* is found a few times in the philosophical works of Cicero (see Merguet s. v. *intersum*) but I think not in the speeches; and seldom elsewhere.

1. *mediocrem animadversionem*: reminds one of *βραχεία ὑπόμνησις* in Sext. See Diels, p. 247; cf. *ἀναμνήσεις* in the passage from Galen given above in n. on *negat*.

2. *quasi involuta*: there is a strong metaphor in *involuta* (cf. *involutum*, 'a veil'), hence the apologetic *quasi*; cf. Acad. 2, 26 cum ea quae quasi involuta fuerunt, aperta sunt, and my n. there.

3. *iudicari*: this reading is superior to *indicari* because there is a reference to the use of *κριτήριο* (*iudicium*) in the Greek texts.

detractis...nihil est: so this doctrine is common to the Epicurean school with other post-Aristotelian systems. The mind 'ἡρρηται ἀπὸ τῶν αἰσθήσεων' (Diog. L. 10, 32). Cf. below, § 64, quicquid animo cernimus, id omne oritur a sensibus. Acad. 2, 30 (from Antiochus of Ascalon) mens ipsa quae sensuum fons est atque etiam ipse sensus est; in my note there illustrations will be found. Add Theophr. de sensu 4 (Diels, Doxogr., p. 499) τὸ γὰρ αἰσθάνεσθαι καὶ τὸ φρονεῖν ὡς ταῦτό λέγει (of Parmenides). On p. 392 of Diels' book much the same statement occurs, in reference to Empedocles (cf. p. 506), Parmenides and Democritus. The maxim of Hobbes and Locke, 'nihil est in intellectu quod non antea fuerit in sensu,' was practically accepted by Aristotle and by all teachers after his time. As to the Stoics, see Zeller, Stoics, p. 79, Eng. Trans. (ed. 1880).

4. *necesse est*: the exposition passes suddenly into *oratio recta*, as below, 2, 48 and 3, 64, Acad. 2, 99 and often elsewhere. Madvig without warrant casts doubt on the opposite change in Acad. 2, 40; but it is found elsewhere, as in Acad. 2, 101; both changes occur in Livy, for whom see Kuhnast³, p. 236.

ad naturam = *secundum nat.*, as in Att. 4, 18, 2 quae vita est maxime ad naturam ad eam me refero. [Verr. 2, 1, 133, quoted by Madvig, is not in point.] For *ad*=*secundum* see Draeger § 252, 6 a. Sen. ep. 16 § 7 ad naturam vivere ...ad opiniones.

5. *a natura*: cf. n. on 2, 33.

ea quid...dolorem? So Democritus, fragm. mor. 8 (Mullach): οἶστος ἐνυμφορέων καὶ ἀνυμφορέων τέρεψις καὶ ἀτερπής.

percipit: καταλαμβάνεται: see Acad. 1, 31.

quo: 'whereby'; see n. on § 41. Also for the combination of pleasure and pain, which are regarded as constituting together a single *κριτήριο*, see n. on § 23 confirmat autem etc.

7. *sunt quidam...qui velint*: how fine the line is which divides indic. from subj. in such expressions may be seen from § 69 sunt quidam...qui verentur. In what way these Epicureans modified the teaching of the founder, cannot be precisely stated. Madvig remarks, with great probability, 'ut fiebat in illa schola, eadem mutatis verbis dixisse videntur'; but the words *ut fiebat in illa schola* convey a wrong impression. The *insita in animis notio* must be what the Epicureans called *πρόληψις*, while the conceptions mentioned above (*nivem esse albam*, etc.) are also *πρόληψις*. It may be that the later school distinguished between *πρόληψις*, regarding some of them as simple, elementary, and easy of attainment, while others were less easily attained, and perhaps even called for the conscious exercise

et negent satis esse, quid bonum sit aut quid malum, sensu iudicari, sed animo etiam ac ratione intellegi posse et voluptatem ipsam per se esse expetendam et dolorem ipsum per se esse fugiendum. Itaque aiunt hanc quasi naturalem atque insitam 5 in animis nostris inesse notionem, ut alterum esse appetendum, alterum aspernandum sentiamus. Alii autem, quibus ego assentior, cum a philosophis compluribus permulta dicantur cur nec voluptas in bonis sit numeranda nec in malis dolor,

7 compluribus: *quam pluribus* E.

of reason, working upon experience. But even in the scheme of Epicurus the mind is not the passive recipient of impressions from the senses; it contributes something to sensation (Diog. L. 10, 32 συμβαλλομένου τι καὶ τοῦ λογισμοῦ). Compare Cicero's remarks on the point in 2, 36.

subtilius: ἀκριβέστερον: see my n. on Acad. 1, 6.

tradere: but *iudicari*: for the change of voice cf. 2, 21 and 2, 48.

1. **negent:** apparently, while leaving αἰσθησις as the criterion of things physical, they deemed it insufficient for things moral. They may possibly have Stoicised and held, as the Stoics would say, that the notion of good and evil is not a πρόληψις but an ἔννοια.

2. **sed:** for the positive verb to be supplied from *negent* cf. § 61; 2, 68.

animo: Madvig: 'insolentius dixit animo cum mentis rationes intellegantur'; but Cicero nowhere draws so strict a line between *mens* and *animus*.

posse: loosely put where *necesse esse* is required by the argument.

4. **quasi:** here, as often, indicates that Cicero is translating tentatively from the Greek. See 2, 5 and 3, 19 and my n. on Acad. 1, 17.

insitam: on this Madvig remarks 'loquitur Cicero paene ita, tamquam Epicurus eam innatam putaverit; atque aperte id dicit N.D. 1, 44, a Platone et Stoicis colorem ducens. Itaque iure in hoc Cicero reprehenditur ab iis, qui philosophiae historiam scripserunt.' The charge of inaccuracy thus formulated by Madvig has been copied from him by many, and much hard language has been used of Cicero concerning it. I venture to think that there is no solid ground for supposing that Cicero intended to attribute anything like what we know as the theory of 'innate ideas' to Epicurus. His critics have erred through identifying the meaning of *insitus* and

innatus with that of *innate* and its representatives in other languages. Cicero merely uses these words as renderings of ἐμφυτος. Why Madvig links the Stoics with Plato in his note I do not understand. They as well as the Epicureans held strongly to the idea that the mind at birth is a *tabula rasa*. Bonhöffer, 1, 191 sq., denies this for Epictetus, but on insufficient grounds. He quotes Plut., *Sto. Rep.* 17 (1042 a) τὰυτὰ συμφωνεῖν τῷ βίῳ φάσκων καὶ μάλιστα τῶν ἐμφύτων ἀπρεσθαι προλήψεων without saying that it goes back to Chrysippus. Yet they could talk of ἐμφυτοὶ προλήψεις, meaning thereby that *pr.* spring up in the mind after birth by a natural and inevitable process. Cf. Epict. 2, 11, 3 ἐμφύτων ἔννοιαν. The meaning of ἐμφυτος is well exhibited by the corresponding use of ἐμφύεσθαι in Stob. Ecl. c. 40 § 8 περὶ τοῦ νοῦ οἱ μὲν Στωικοὶ λέγουσι μὴ εὐθὺς ἐμφύεσθαι τὸν λόγον. The term ἐμφυτος probably, like many others, was current in Epicurean as well as in Stoic literature. In N.D. 1, 44 insitas vel potius innatas cognitiones, Cicero gives (more suo) a choice of renderings for ἐμφύτους προλήψεις (see Mayor ad l.); but even a *principio innasci* in 2, 34 does not imply (as he thinks) the doctrine of *innate* gifts. Epic. (Diog. L. 10, 129) applied σύμφυτον τὸ ἀγαθόν. Much else that bears on the Stoic and the Epicurean πρόληψις I must leave over for later nn.

5. **alterum...alterum:** referred to *voluptatem* and *dolorem*. See n. on 3, 48 utrumque.

6. **sentiamus:** the word combines the senses of 'thinking' and 'feeling.'

7. **dicantur cur:** for the slight ellipse cf. 2, 117.

8. **voluptas...dolor:** chiasmus.

in bonis: Torquatus does not seem to be alluding to any direct polemics against the Epicurean school, but rather to the contention of the Stoics and

non existimant oportere nimium nos causae confidere, sed et argumentandum et accurate disserendum et rationibus conquisitis de voluptate et dolore disputandum putant.

- 32 X. Sed ut perspiciatis unde omnis iste natus error sit voluptatem accusantium doloremque laudantium, totam rem aperiam 5 eaque ipsa quae ab illo inventore veritatis et quasi architecto beatae vitae dicta sunt, explicabo. Nemo enim ipsam volup-

2 accurate: *caute* ed. Colon.

Cynics that pleasure is not even an *ἀγαθόν*, much less τὸ ἀγαθόν.

1. **non existimant:** the *non* practically coalesces with the verb here as often; see n. on § 1. For the Stoic point of view cf. Seneca ep. 11 § 1 quicquid infixum et ingenitum est; 14 § 1.

argumentandum: does this mean that these Epicurean heretics advocated the use of the ordinary dialectic which their founder repudiated? The words used (*argumentandum, disserendum, rationibus conquisitis, disputandum*) seem to point to this. Diog. L. 10, 31, after quoting from the *κατὰν* of Epicurus the doctrine that the *κριτήρια τῆς ἀληθείας* are the *αἰσθήσεις*, the *προλήψεις* and the *πάθη*, adds: 'οἱ δὲ Ἐπικούρειοι τὰς φανταστικὰς ἐπιβολὰς τῆς διανοίας.' Gassendi and Hirzel (1, 186 sq.) understand the words to refer to the vain imaginations of madmen and dreamers; but rather they indicate the faculty whereby the mind is able to transcend the actual impressions of sense and win such conceptions as that of the void, the atoms.

This is animi *iniectus* (*iactus*) in Lucr. 2, 740, 1047 (*ἐπιβολὴ τῆς διανοίας*). The letter of Epic. to Herodotus, c. 50, shows that Epic. himself held this tenet; therefore no stress can be laid on the contrast loosely put by Diog. L. between Epicurus and the Epicureans. So Sext. A. M. 11, 96 attributes to *τινὲς τῶν Ἐπικουρείων* the theory that 'φυσικῶς καὶ ἀδιδάκτως τὸ ζῶον φεύγει μὲν τὴν ἀλγηδὸνα, δίδωκει δὲ τὴν ἡδονήν,' though the theory was indubitably Epicurus' own; see Hirzel, II, 671 sq. Madvig notes a point overlooked by Hirzel, that Torquatus proceeds to draw his arguments not from those followers of Epicurus to whom he has just given his assent, but from Epicurus himself. It may, however, be pointed out that Torquatus does not assert that the whole of the demonstrations which follow are borrowed from Epicurus.

5. **doloremque laudantium:** while

there were philosophers (like the Cynics) who denounced pleasure *per se*, there were none who lauded pain *per se*; the expression here is rather exaggerated.

6. **inventore veritatis:** the extravagant eulogies heaped on Epicurus by his disciples are well illustrated by the proems to *Lucret. I* and *III*. Cf. especially 3, 9 tu pater es rerum inventor (where Davies wrongly conjectured *veri* for *rerum*, which reading is sufficiently protected by 5, 2 pro rerum maiestate). Cf. n. on § 14 unum vidisse verum. Lucretius calls Epicurus a god, as does the Epicurean speaker in N.D. 1, 43. Athen. v. 182 a speaks of the interlocutors in the Symposium of Epicurus as 'κολάκων ἀνυρίσι ἀλλήλους ἐπαινούντων.' Cf. N.D. 1, 72 ista enim a vobis quasi dictata redduntur quae Epicurus oscitans hallucinatus est, cum quidem gloriaretur, ut videmus in scriptis, se magistrum habuisse nullum. Quod ei non praedicanti facile equidem crederem, sicut mali aedifici domino glorianti se architectum non habuisse.

quasi architecto beatae vitae: similarly in § 42 *sapientia* is spoken of as tamquam artifex conquirendae et comparandae voluptatis. Cicero has only *architectus*; Plaut. has also *architecton* and *architectonus*.

7. **nemo enim, etc.:** cf. Epicurus' letter to Menoeceus (Diog. L. 10, 129): οὐ πάσαν ἡδονὴν αἰρούμεθα, ἀλλ' ἔστιν ὅτε πολλὰς ὑπερβαίνουμεν, ὅταν πλείον ἡμῖν τὸ δυσχερὲς ἐκ τούτων ἐπηται· καὶ πολλὰς ἀλγηδὸνας ἡδονῶν κρείττους νομίζουμεν, ἐπειδὴν μείζων ἡμῖν ἡδονὴ παρακολουθεῖ πολλὸν χρόνον ὑπομείνασι τὰς ἀλγηδὸνας. πᾶσα οὖν ἡδονὴ διὰ τὸ φύσιν ἔχειν οἰκεῖαν ἀγαθόν, οὐ πᾶσα μέντοι αἰρετὴ· καθάπερ καὶ ἀλγηδὼν πᾶσα κακόν, οὐ πᾶσα δὲ αἰετὴ φευκτὴ πεφυκνία. τῇ μέντοι συμμετρήσει καὶ συμφερόντων καὶ ἀσυμφόρων βλέψει ταῦτα πάντα κρίνειν καθέκει. χρώμεθα γὰρ τῷ μὲν ἀγαθῷ κατὰ τινες χρόνους ὡς κακῷ, τῷ δὲ κακῷ τὰμπάλιν ὡς ἀγαθῷ. Also No. 8 of the *κυρία δόξαι* (Diog. L.

tatem, quia voluptas sit, aspernatur aut odit aut fugit, sed quia consequuntur magni dolores eos qui ratione voluptatem sequi nesciunt, neque porro quisquam est qui dolorem ipsum, quia dolor sit, amet, consectetur, adipisci velit, sed quia non numquam eius modi tempora incidunt ut labore et dolore magnam aliquam quaerat voluptatem. Vt enim ad minima veniam, quis nostrum

10, 141): οὐδεμία ἡδονὴ καθ' ἑαυτὸ κακόν· ἀλλὰ τὰ τινῶν ἡδονῶν ποιητικὰ πολλαπλασίους ἐπιφέρει τὰς ὀχλήσεις τῶν ἡδονῶν. The same doctrine is represented in Tusc. 5, 95; see also Usener §§ 181, 442, 443, 449; and below, § 47. The same Bentham-like calculus of pleasure and pain is inculcated by Democritus, fr. 1 (Mullach): συνίστασθαι δὲ αὐτὴν (τὴν εὐθυμίην) ἐκ τοῦ διορισμοῦ καὶ τῆς διακρίσεως τῶν ἡδονῶν: cf. fr. 20; also a saying attributed to Solon (Mullach, p. 212) ἡδονὴν φεύγε ἥτις λύπην τίκτει, and a line of Menander ap. Stob. vi, p. 72 φεύγ' ἡδονὴν φέρουσιν ὕστερον βλάβην.

1. quia sit...quia consequuntur: the change of mood is noticeable. Possibly in Cicero's original text the words quia cons...nesciunt formed a protasis to an apodosis which has fallen out.

2. consequuntur magni dolores eos: for *aliquid sequitur* or *consequitur aliquem* Madvig quotes Verr. 5, 189; Tusc. 2, 28; Sest. 51; Div. 2, 62; Ter. Phorm. 750; Sall. or. Phil. § 9; Quintil. 4, 2, 44 and 8, 3, 82; Sen. Ben. 6, 4, 6; De Ira 2, 2, 1. Add Nep. Att. 19, 3; Caes. Bell. Gall. 8, 31, 3; Quint. 2, 10, 14; 7, 4, 19; 8, 6, 24; 10, 2, 26; 12, 11, 4 (prosequi); Sall. Cat. 3, 2 and 54, 5 and ep. Mithr. 22; or. Phil. 21; Virg. G. 3, 564 immundus sudor sequitur membra; Ovid, Met. 9, 358; ib. 2, 611 (frigus secutum est corpus); 6, 234; Phaedr. 1, 5, 9; Curt. 8, 5, 16; 4, 14, 25; Liv. 28, 21, 5; 33, 13, 10; Virg. Aen. 12, 375; Hor. Od. 3, 27, 59 zona bene te secuta; Tac. H. 4, 32; An. 4, 28; Dial. 10.

ratione: so 3, 58 quod ratione actum est. There is an example of *ratione* in Rep. 6, 18 which is exactly like this where Meissner, ed. 4, strikes it out. We may also compare Off. 3, 55 etiam si illa (villa) nec bona est nec aedificata ratione; Planc. 26 me...ratione cedentem. Cf. 1, 62. It is strange that many scholars should have attacked the reading in Att. 12, 44, 3 quod domi te inclusisti, ratione fecisti (Wesenb. and others *recte*). Expressions like *rationem facti probare* etc. are common enough and lie near to *ratione fecisti*; Off. 1, 7

a ratione and ratione. In mss. *recte* and *ratione* are often confused; see C. F. W. Müller's n. to S. Rosc. 113. [A passage in pro Cael. 42 is hardly sound as it stands: 'revocet se aliquando ad curam rei domesticae, rei forensis reique publicae, ut ea quae ratione antea non perspexerat, satietate abiecis, experiendo contempsisse, videatur.' Antea is corrupt; under it perhaps lurks *abicienda*, agreeing with *quae*.]

3. neque porro quisquam, etc.: the language is like that of a passage in the collection of Epicurean sayings discovered in the Vatican by Wotke and published by Usener in Wiener Stud. 10, 192 (§ 16): οὐδεὶς βλέπων τὸ κακὸν αἰρεῖται αὐτό, ἀλλὰ δελεασθεὶς ὡς ἀγαθὸν προσόντων μειζόνων ὑπὸ τοῦ κακοῦ ἐθηρεύθη (so Gomperz, Wien. St. 10, 203 corrects the ms. which has ἀγαθὸν προσὸν μειζόνων ἄν). The Greek words raise a suspicion that *non magno* may have fallen out before *magnam*. The Latin sentence is slightly illogical, or rather elliptical, and needs for the completion of the sense words like *idcirco dolorem amplectitur*

porro: see n. on 2, 25.

5. tempora: § 33 temporibus quibusdam. The observation of *καιρός* or *εὐκαιρία* in the pursuit of pleasure is often inculcated in the hedonistic texts. It is even said that constant opportunity for pleasure would be a bad thing. Cf. Vol. Herc. 132 fr. 89 (Scott p. 139): (the wise man or the god) οὐκ ἀφέτως ἀπολαύει παρὰ πάντα τῆς εὐκαιρίας, καὶ πλήθους καὶ ποιότητος (sc. τῶν ἡδονῶν) ἀστοχάστων· ἡλγει γάρ ἂν καὶ κατέστρεφεν οὕτως ἀναστρεφόμενος· ἀλλ' ἐπὶ πάντων χρεῖας (real utility) ἐλαύνει κατὰ τὴν διαστάθμησιν (the calculus of pleasures and pains). So Democr. fr. 19 M.: ἡδονὰς ἀκαιροὶ τίκτοναι ἀνάσσει.

labore et dolore: jingles of the kind are not avoided by Cic. For the sense cf. Max. Tyr. 32 (3), 10 (ap. Usener, p. 313) συμκρῶν πόνων μεγάλας ἡδονὰς ἀντείσταγεις.

6. ut...veniam: so 5, 7 ut ad minora veniam.

nostrum: not = *Epicureorum* (as some

exercitationem ullam corporis suseipit laboriosam, nisi ut aliquid ex ea commodi consequatur? quis autem vel eum iure reprehenderit, qui in ea voluptate velit esse quam nihil molestiae consequatur, vel illum qui dolorem eum fugiat quo voluptas
 33 nulla pariat? At vero eos et accusamus et iusto odio dignissimos ducimus, qui blanditiis praesentium voluptatum deleniti atque corrupti, quos dolores et quas molestias excepturi sint, occaecati cupiditate non provident, similique sunt in culpa, qui

5 iusto: fort. isto.

6 blanditiis: per blanditus E.

6 deleniti: deliniti EP.

have supposed), but=*hominum* generally.

1. laboriosam: emphatic at the end of the clause.

3. quam: doubtless the right reading; but Madvig's grounds of defence are not quite satisfactory. He may be right in repeating an old rule (which many have repeated after him, cf. Mayor on Phil. 2, 26; Kühner-Stegmann II, § 112 c (a) p. 581) that the omission of *in* before *qua* would be against the usage of good writers, because we cannot supply to the relative clause the same verb that goes with the preceding clause, and in the instances usually quoted this is so, as in 4, 56; N.D. 1, 31; Tusc. 1, 94 and 111; Phil. 2, 26; Att. 3, 19, 2; ib. 8, 11 D, 3; Fam. 3, 4, 1; 4, 9, 1 (with the reading de rebus; De Or. 2, 208; ib. 277; Pro Lig. 2; Rosc. Am. 127; Nep. Cim. 3; Liv. 22, 33, 9; 29, 25, 8. Compare also § 49 in eadem causa sunt qua antequam nati (sc. in qua fuerunt antequam nati sunt); Leg. 3, 33 ego in ista sum sententia, qua te semper fuisse scio; Phil. 2, 37 fateor me... tanta in maestitia fuisse, quanta ceteri optimi cives, si idem providissent, fuissent. For examples from other authors cf. Liv. 10, 31, 13 socios... in eadem fortuna videbant, qua ipsi erant; 22, 9, 10 resque publica in eodem quo ante bellum fuisset, statu permansisset; 27, 22, 5 (same vb. changed from imp. to plup.); similarly 34, 28, 9; Varro, r. r. 1, 40, 6. This restriction may be right; it does not perhaps hold so widely in Greek, cf. Thuc. 3, 17, 1; though it is usual, Jelf § 650, 3. But Madvig's other reason against *qua* is hard to understand: 'non potest sic absolute dici consequi, ut pro accusativo per praepositionem in adiungatur res praecedens (in hac voluptate nihil molestiae consequitur); nam aliter longe dicitur: in hac consequitur (accidit) obscuratio (iv, 29).' But if *qua* be read there is no reason why *consequatur*

should not have the same subject as *velit*, and take *nihil molestiae* as object, just like *aliquid...consequatur* above.

4. illum qui: after *eum qui*; cf. Landgr. on Rosc. p. 247.

5. at vero, etc.: the sentence is incomplete. Each part describes a motive for mistaken action: (1) the passion for the pleasure of the moment; (2) the desire to avoid pain at the moment. The two sets of people who are subject to these two motives are said to be *simili in culpa*; but the sin of the one set is alleged to consist in mere want of foresight (*non provident*), that of the other in desertion of duty (*officia deserunt*). The want of balance between the two sins is obvious. Probably some words have fallen out after *corrupti*, which described a sin as heinous as that of deserting duty. A close comparison of this section with § 47 suggests that the reference was to *libido*; in fact the words *tradunt se libidinibus constringendos et* (almost taken from § 47) would cure the passage.

accusamus: a word designedly heavier than *reprehenderit* above.

iusto...dignissimos: slightly pleonastic.

6. blanditiis: Fam. 15, 16, 3 delenitus illecebris voluptatis.

8. occaecati: there are many denunciations in Epicurean literature of the blindness of the non-philosophic herd. Cf. ἀβλεψία in Polystratos, περὶ ἀλόγου φρονήσεως (Gomperz ap. Hermes, xi, p. 420; τὸ παραχρῆς ὑπουλον καὶ τυφλόν in Hercul. Papyr. 26, col. 24 (Scott, p. 234); Lucret. 2, 14 ope tora caeca! The *pectus caecum* is opposed to the *purum* or *purgatum pectus* (Lucr. 5, 18, 43) in which passion and terror have been subjugated to reason; Democr. fr. 13 Mullach: διὰ νόου τυφλότητα καὶ ἀγνωμοσύνην: id. 82 αἱ περὶ τι σφοδραὶ ὀρέξεις τυφλοῦσι εἰς τὰλλα τὴν ψυχὴν.

officia deserunt mollitia animi, id est laborum et dolorum fuga. Et harum quidem rerum facilis est et expedita distinctio. Nam libero tempore, cum soluta nobis est eligendi optio, cumque nihil impedit quo minus id quod maxime placeat facere possimus, 5 omnis voluptas assumenda est, omnis dolor depellendus. Temporibus autem quibusdam et aut officiis debitis aut rerum necessitatibus saepe eveniet, ut et voluptates repudiandae sint et molestiae non recusandae. Itaque earum rerum hic tenetur a sapiente delectus ut aut reiciendis voluptatibus maiores alias

5 depellendus A: *repellendus* BE; in P littera *d* est in rasura.

1. *mollitia animi*: *μαλακία*; so often, as Liv. 28, 22, 11; cf. *debilitas animi* in § 49 where the *officia* are mentioned in detail; also Caes. B.G. 7, 20, 5 (speech of Vercingetorix) ne is multitudinis studio ad dimicandum impelleretur, cui rei propter animi mollitiem studere omnes videret, quod diutius laborem ferre non possent.

id est: here, as Madvig points out, corrective rather than explanatory: 'or, to put it differently.' See exx. of this use in my n. on Acad. 1, 5.

2. *distinctio*: 'possibility of distinguishing'; the verbal noun often conveys this idea. With *expedita* cf. *sese expediunt* below.

3. *soluta*: a mere adjective, as often. *eligendi optio*: the same phrase in Att. 4, 18, 3; Brut. 189. Instead of the explanatory genitive, an *ut*-clause occurs in div. Caec. 45 (optionem...ut eligas). The explanatory genitive often lies very close in meaning to the substantive on which it depends; as e.g. Liv. 7, 25, 4 ora littoris Antiatis.

5. *depellendus*: Madvig says '*depellitur* quod locum iam tenet, ut febris corpore...*repellitur* quod appropinquat et instat; *pellitur* omnino quidquid loco movetur; *pellitur* hostis in acie stans, *repellitur* irruens, *depellitur* praesidium colle; *repellitur* quod admitti vult.' But usage is not so rigid; cf. e.g. 5, 17 (18) voluptatis alii primum appetitum putant et primam depulsionem doloris; C. F. W. Müller's n. is far from clear; 2, 41 depulsiōne mali...adeptione; in Brut. 1, 14, 2 servitutem...depulisti is right; depulisti Ern. Wes. T.P., repulisti C. F. W. M. Tusc. 3, 25 aegritudinem depellamus; prov. cons. 6 virgines...morte voluntaria necessariam turpitudinem depulisse. According to Madvig's rule the common phrase *mortem depellere* ought not to exist. Part. Or. 42 depellendi aut

ulciscendi doloris. In Sen. dial. 2, 7, 5 repellere (Ambr.) conforms to Madvig's rule, yet Gertz considers dep. probable. For other interchanges of *re* and *de* see his Index.

temporibus quibusdam: this abl. is not purely temporal; *temporibus* as in § 32 means 'critical moments' and the abl. becomes really causal and of the same nature as the ablatives after *et*. There is therefore no real awkwardness in the *et* which many editors have desired to remove, because they thought that it was used to link together ablatives of different classes. Madvig (whose note is obscure) seems to treat *tempora* as species and *officia debita* and *rerum necessitates* as particulars, and to think that the conjunction is due to a sort of logical confusion, whereby a difference is set up between the species and the particulars. For the strongly causal abl. here see n. on 1, 42. *Debitis* must not be taken with *necessitatibus*, an error which led Davies and others to propose needless changes.

7. *repudiandae*: Metrodorus ap. Plutarch, non posse suaviter vivi etc., c. 3, 1088 d πολλὰκις προσεπύσαμεν ταῖς τοῦ σώματος ἡδοναῖς; see the context there.

8. *non recusandae*: 'are to be accepted without protest.' On the meaning of *recusare* see 3, 9 n.; pro Caec. §§ 81-2.

9. *delectus*: as to the form *dilectus* see C. F. W. Müller.

ut aut, etc.: possibly Cicero wrote *ut aut...aut ut*; see n. on 2, 15. I do not understand Madvig's statement that if the *ut* be repeated, the *delectus* becomes '*duplex non unus*'; the *delectus* is really made *duplex* by the repeated *aut*, and it makes no difference whether a second *ut* is written or not.

reiciendis: Epic. ap. Diog. L. 10, 129 πολλὰς ἡδονὰς ὑπερβαίνομεν ὅταν πλείον

34 consequatur aut perferendis doloribus asperiores repellat. Hanc ego cum teneam sententiam, quid est cur verear ne ad eam non possim accommodare Torquatos nostros? quos tu paulo ante cum memoriter, tum etiam erga nos amice et benivole collegisti, nec me tamen laudandis maioribus meis corrupisti nec signiorem ad 5 respondendum reddidisti. Quorum facta quem ad modum, quaeso, interpretaris? Sicine eos censes aut in armatum hostem impetum fecisse aut in liberos atque in sanguinem suum tam

2 ad eam: *eadem* E. 5 me: om. A¹. 5 tamen: *cum* E (ex contracta forma *tū* non intellecta); vid. Lindsay, *Notae Latinae*, p. 305. 5 corrupisti: *corripuisti* multi (etiam A).

ἡμῖν τὸ δυσχερὲς ἐκ τούτων ἐπηται· καὶ πολλὰς ἀλγῆδόνας ἡδονῶν κρείττους νομίζομεν, ἐπειδὴν μείζων ἡδονὴ παρακολουθεῖ πολὺν χρόνον ὑπομείνασι τὰς ἀλγῆδόνας: also ap. Stob. Flor. 17, 34 βρῶδ'ω τῷ κατὰ τὸ σωματίον ἡδεῖ, ὕδατι καὶ ἄρτῳ χρώμενος, καὶ προσπύῃ ταῖς ἐκ πολυτελείας ἡδοναῖς οὐ δι' αὐτὰς ἀλλὰ διὰ τὰ ἐξακολουθοῦντα αὐταῖς δυσχερῆ. Metrod. fr. 16, p. 53 ed. Düning. Aristocles ap. Euseb. Praep. Evang. 14, 21, 3, p. 769 a quotes Epicurean γνώμαι to the same effect in somewhat different language. See Usener § 442 and Sen. also quoted there. A fragment attributed to Democritus (Mullach, 3) introduces τὸ καλὸν strangely: ἡδονὴν οὐ πάσαν ἀλλ' ἐπὶ τῷ καλῷ αἰρέεσθαι χρέων; cf. id. 1 where it is said that happiness (εὐθυμῖα) depends on the διορισμὸς καὶ διάκρισις τῶν ἡδονῶν; see also fr. 47; Sen. d. 2, 12, 1 voluptatum sine dilectu appetentes.

maiores: the hedonist must see that the balance is on the right side: Democr. fr. 2 ἄριστον ἀνθρώπῳ τὸν βίον διάγειν ὥς πλεῖστα εὐθυμηθέντι καὶ ἐλάχιστα ἀνησθέντι.

2. verear ne...non: so *timere ne non*, Verr. 5, 171; these are the only certain passages, I think, where Cicero substitutes *ne...non* for *ut* after a verb of fearing. But he is sparing even in his use of *ut*; it occurs only once in the philosophical works.

3. cum...tum: see M.

4. memoriter: Madvig shows that this word never bears the meaning 'from memory,' 'by heart,' as the opposite of *de scripto*, but 'semper laudem habet bonae et copiosae memoriae' (like *μνημονικῶς*). Several scholars have criticised Madvig's opinion; and indeed it is easy to find passages where the meaning 'from memory' will just make sense;

but until examples are pointed out where this sense is necessary, the matter will not be worth discussion. In ancient times when reference from book to book was difficult beyond our conceptions, a strong and accurate memory was held in higher esteem than now, and the praises of it throughout ancient literature are numerous. [Macrob. Sat. 1, 2, 2 admirantibus memoriae tuae vires; ib. 1, 3, 1; 2, 8, 1 memoria florida.]

nos: 'our school'; wrongly rendered 'me' in some translations.

collegisti: 'quoted'; so below, 2, 62 and often.

6. quem ad modum...interpretaris: 'how do you explain?' Cf. De Or. 2, 21 omnia ista ego alio modo interpreto; and Nägelsbach § 113.

7. quaeso: all the examples of this verb in Cicero's philosophical writings are parenthetical; elsewhere he has *ut*- and *ne*-clauses dependent on it.

sicine: Madvig points out that *siccine*, *huiccine*, *hicce* and the like are barbarous forms; as also are *sicne*, *hocne*, etc. for *sicine*, etc. The evidence is now collected in Neue, 11³, p. 422.

8. liberos: on the uses of *liberi* see an elaborate article by Funck in Archiv 7, 73 sq.

atque in: *atque* explanatory. For *in* repeated see 1, 30 (*inter*), and 2, 40 (*ad*), and cf. Liv. 7, 4, 3 cognomen Imperiosi...ab ostentatione saevitiae ascitum, quam non magis in alienis quam in proximis ac sanguine ipse suo exercebat. This passage of Livy is almost in itself enough to refute the contention of Havet, Rev. de Phil. xxii, 251, that *in liberos* refers to the earlier Torq. who put his son to death and *in sanguinem* to the later who had given away his son in adoption.

sanguinem: 'flesh and blood'; Sest. 130 homo eiusdem sanguinis.

crudelis fuisse, nihil ut de utilitatibus, nihil ut de commodis suis cogitarent? At id ne ferae quidem faciunt ut ita ruant itaque turbent, ut earum motus et impetus quo pertineant non intellegamus; tu tam egregios viros censes tantas res gessisse
 5 sine causa? Quae fuerit causa mox videro; interea hoc tenebo, 35
 si ob aliquam causam ista quae sine dubio praeclara sunt fecerint, virtutem eis per se ipsam causam non fuisse.—Torquem detraxit hosti.—Et quidem se texit, ne interiret.—At magnum periculum adiit.—In oculis quidem exercitus.—Quid ex eo est
 10 consecutus?—Laudem et caritatem, quae sunt vitae sine metu degendae praesidia firmissima.—Filius morte multavit.—Si sine causa, nollem me ab eo ortum, tam importuno tamque crudeli;
 sin ut dolore suo sanciret militaris imperi disciplinam exercitum-

6 si ob aliquam: *si obliquam* A¹.

1. *nihil ut*: in Cicero *ut* generally follows a negative word; see my n. on Acad. 2, 48; *ut nihil* in Fam. 6, 1, 4 and De Or. 2, 2 (where there is *nullam ut* a little before).

utilitatibus: the temptation to read *voluptatibus* has overcome several editors; but *utilitas* is often held to imply *voluptas* (though cf. 3, 37); and the similarity in sense of the two words *ut* and *commodis* is quite in Cicero's style.

2. *at*: the form of the sentence naturally leads to the suspicion that *at* has here replaced *an* (a very common interchange in MSS.).

ne ferae quidem: in the Herculean roll, no. 26, edited by Scott, there is an elaborate comparison between the *ταραχή* of beasts and men, and a polemic is carried on against someone who had argued that the life of animals is happier than that of mankind because they fear not gods nor death. In one fragment (Scott, p. 216) it is asserted that in the two cases the *ταραχαὶ ἐκ τῶν παθῶν καὶ κακιῶν* are similar. The speaker in Liv. 7, 4, 6 contrasts Manlius Imperiosus with the beasts, unfavourably.

ut...ut: the repetition of *ut* is often as inelegant as the repetition of *that* in English, and it is quite as difficult to avoid. Three clauses with *ut* succeed one another in Att. 9, 7, 3.

itaque: for *et ita*; not uncommon.

4. *tu...sine causa*? perhaps a retort on what was said about the Epicurean physics in § 19. For *sine c.* here cf. n. on *cum causa* in 2, 56.

5. *videro*: as in 2, 9. In the 3rd pers. plur. once *videant* (Rep. 6, 25, which is

one reason why Meissner, ed. 4, suspects the passage), but there is attraction there to another subj.

8. *et quidem*: frequently used thus in refutations (as in 2 §§ 9, 13 and Div. 2, 114, about which there is nothing strange, as M. asserts). Draeger § 311, 13; Seyffert, Schol. Lat. 1 § 66; so *quidem* alone just below. Often also the phrase *et quidem* intensifies a statement made by the speaker himself; so § 15. Stamm, Die Partikel-verbinding *et quidem* bei Cicero (noticed in Archiv 3, 156), points out the avoidance of *et quidem* by Caesar and Sallust [*et quidem* in concession, below, 2 § 81].

texit: sc. *armis* (Fam. 3, 10, 10). Sen. dial. 4, 35 § 5.

10. *vitae...praesidia*: *vitae* may be either gen. or dat., prob. the former.

11. *praesidia*: cf. 2, 84 praesidium amicorum. One is reminded of the 7th κύρια δόξα of Epicurus: ἐνδοξοὶ καὶ περίβλεπτοί τινες ἐβουλήθησαν γενέσθαι τὴν ἐξ ἀνθρώπων ἀσφάλειαν οὕτω νομίζοντες περιποιήσεσθαι. But the opinion of Epicurus is given in the 14th, viz. that ἡ ἐξ ἀνθρώπων ἀσφάλεια is best secured by ἡσυχία and by withdrawing from the multitude.

12. *ortum*: the omission of *esse* is frequent, as in §§ 13, 21, 39 and 2, 54.

importuno: the omission of *homine* or *viro* is unusual; the contracted form of *homine* (οἶε) may have dropped out after *imp.*

13. *sanciret*: Manlius to his son ap. Liv. 8, 7, 19: 'cum aut morte tua sancienda sint consulum imperia aut impunitate in perpetuum abroganda.'

que in gravissimo bello animadversionis metu contineret, saluti
 36 prospexit civium, qua intellegebat contineri suam. Atque haec
 ratio late patet. In quo enim maxime consuevit iactare vestra
 se oratio, tua praesertim, qui studiose antiqua persequeris, claris
 et fortibus viris commemorandis eorumque factis non emolu-
 5 mento aliquo sed ipsius honestatis decore laudandis, id totum
 evertitur eo delectu rerum, quem modo dixi, constituto, ut aut
 voluptates omittantur maiorum voluptatum adipiscendarum
 causa aut dolores suscipiantur maiorum dolorum effugiendorum
 gratia.

10

37 XI. Sed de clarorum hominum factis illustribus et gloriosis
 satis hoc loco dictum sit. Erit enim iam de omnium virtutum
 cursu ad voluptatem proprius disserendi locus. Nunc autem
 explicabo voluptas ipsa quae qualisque sit, ut tollatur error

3 vestra: *nostra* E (cf. Lindsay, *N.L.*, pp. 146 sq.). 7 delectu: *deflectu* A
 (etiam P); *defluxu* E. 8 adipiscendarum: *adipiscarum* A¹. 9 dolores: *lores* A¹.
 12 dictum sit: ita codd.; *dictum est* Madv.; vid. comm.

1. *contineret*: of the cruel punishment Livy 8, 8, 1 says: 'fecit atrocitas poenae obediētiorem duci militem.' The occurrence of *contineret*, *contineri* in different senses so close together is awkward.

saluti: as in Verr. 2, 1, 158; cf. Tac. Ann. 1, 46.

2. *prospexit* *intellegebat*: note change of tense and cf. 2 § 4.

qua...*contineri*: occasionally Cicero writes *in* with the abl. as Cat. 4, 2 *forum in quo aequitas continetur*, Verr. 2, 118; Mur. 31; Clu. 49.

3. *late patet*: less commonly *l. manare*; similarly N.D. 1, 98 *genus hoc argumenti attende quo serpat*.

4. *claris*.....*laudandis*: grammatically these clauses are epexegetic of *quo*; cf. Nägelsbach, Stil. § 32, 2. But *iactare se* is sometimes accompanied closely by the gerundive construction, as in Cat. 4, 10 *ne quis huius supplicio levando se iactare...possit*.

5. *factis*...*emolumento*...*decore*: n. on 42 (*utilitate*).

6. *id totum*: so 2, 11.

7. *aut*...*aut*: on the very close parallelism of these clauses see Nägelsbach, Stilist. § 168.

9. *causa*...*gratia*: the same transition (or *vice versa*) in N.D. 2, 158; Att. 14, 19, 3; Mur. 78; orat. ad Quir. 1; Cael. 3, where Vollgraff needlessly changes the text. A similar change in Tusc. 5, 71 *quid ex-*

tremum sit in bonis, quid in malis ultimum.

11. *gloriosis*: often thus used in a good sense.

12. *dictum sit*: Madvig was undoubtedly wrong in departing from the mss. The subjunctive often occurs in little sentences like this where a speaker intimates that he has said enough on a particular topic, and then passes on to another. Some examples will be found in my n. on Acad. 2, 29; others from Pliny (the elder), Auson., Augustin., Sulp. Sev. are given by C. F. W. Müller in his critical note on Acad. 1.1.; others from Liv., Val. Max., Pliny, Colum. in n. on Lael. 50 ed. Seyffert-Müller, p. 346. Add Plin. n. h. 17, 140 and 19, 189. Of course *satis est dictum* often occurs in similar circumstances. A rather strange form is *satis erit dictum* in Ad Herenn. 1, 11 (where only one of Marx's mss. has *est*) and ib. 3, 22 (no variants). Madvig says that in Att. 6, 9, 1 *quare de hoc satis, not sit* but *est* is to be understood, but Cicero's usage admits either.

13. *cursu*: 'non de studio dicitur sed de via et, ut barbare dicitur, directione, ut *eo cursu* pro Planc. 17; cfr. de leg. agr. 11, 44' (Madvig). But *cursus* does often indicate eager speed, and it may well connote that here.

locus: § 42 sq.

14. *quae qualisque*: cf. n. on § 29 *quid et quale*.

omnis imperitorum intellegaturque ea quae voluptaria, delicata, mollis habeatur disciplina, quam gravis, quam continens, quam severa sit. Non enim hanc solam sequimur, quae suavitatem aliqua naturam ipsam movet et cum iucunditate quadam percipitur sensibus, sed maximam voluptatem illam habemus, quae percipitur omni dolore detracto. Nam quoniam, cum privamur dolore, ipsa liberatione et vacuitate omnis molestiae gaudemus,

1 omnis: *omnium* E.

3 sequimur: *sequuntur* P.

1. **imperitorum**: so Epicurus speaks in a passage of the letter to Menoeceus (Diog. L. 10, 131sq.) of 'τινὲς ἀγνοοῦντες καὶ οὐχ ὁμολογοῦντες ἡ κακῶς ἐκδεχόμενοι' who misjudge the Epicurean doctrine of pleasure; cf. 2, 12 non intellegere nos quam dicat Epicurus voluptatem; Tusc. 3, 37 (of the same matter) solent isti negare nos intellegere quid dicat Epicurus. Later (§ 55) Torquatus uses *imperiti* of heretical Epicureans.

intellegatur: the word is probably not impersonal here, and so the comma after it should be removed.

2. **quam gravis**, etc.: cf. Sen. de vit. beat. 13, 1 in ea quidem ipsa sententia sum, invitis hoc nostris popularibus dicam, sancta Epicurum et recta praecipere et, si propius accesseris, tristitia: voluptas enim illa ad parvum et exile revocatur et quam nos virtuti legem dicimus, eam ille dicit voluptati... itaque non dicam quod plerique nostrorum, sectam Epicuri flagitiorum magistrum esse, sed illud dico: male audit, infamis est, et immerito. See the context; there is much else in Seneca, written in the same vein, about Epicureans.

continens: an example of an active participle which has acquired a neutral meaning.

3. **solam**: we have here the Epicurean doctrine of the two kinds of pleasure, the active and the passive, ἡδονὴ ἐν κινήσει and ἡδονὴ ἐν στάσει or καταστηματική (so named by Epicurus himself, quoted by Diog. L. 10, 136) which terms Cicero represents in 2, 16 by *in motu* and *in stabilitate*, 2, 31 by *stans* and *movens voluptas*; cf. *stabilem* in 2, 75; and n. on 2, 9. The combination of this passive pleasure with the active is often said to distinguish the doctrine of Epicurus from that of Aristippus, who regarded the active alone. So Diog. L. 10, 136 διαφέρεται δὲ Ἐπίκουρος πρὸς τοὺς Κυρηναίους περὶ τῆς ἡδονῆς: οἱ μὲν γὰρ τὴν καταστηματικὴν οὐκ ἐγκρίνουσι, μόνην δὲ τὴν ἐν κινήσει: ὁ δὲ ἀμφοτέραν: Clem.

Al. Strom. II, 21, pp. 178, 43; quoting perhaps from Antiochus of Ascalon: ὁ δὲ Ἐπίκουρος καὶ τὴν τῆς ἀλγῆδόνος ὑπεξαίρεσιν ἡδονὴν εἶναι λέγει: cf. 179, 36; Us. §§ 450, 451. As to the necessity of passing by much of the 'movens voluptas' in order to secure the 'stans' see § 47 with nn.

4. **naturam**: the physical frame. Nägelsbach is right (§ 91, 1) in representing *ipsam* by 'unmittelbar'; the word indicates that the effect exercised is *direct*. Madvig seems to miss the meaning, drawing the conclusion from *ipsam* that the *stans voluptas* is not regarded as affecting the physical frame, and hence landing Cicero in a sort of contradiction: 'atqui non dolendi voluptas sentiri tamen debet.' True, but what is meant is that the active pleasure affects the senses more immediately and directly than the passive.

iucunditate: commonly used of the subjective feeling of the percipient, *suavitas* of the quality in the pleasure itself; cf. 2 §§ 6, 13, 14.

5. **sed...habemus**: in order to bring this into closer correspondence with *non...solam sequimur*, Gruter desired to read *avemus*; but Cicero only has *avere* here and there in the Speeches and the Letters; cf. n. on 2, 46.

maximam: see n. on § 38 terminari. After this statement that the passive pleasure is the highest, we have a parenthesis (ending just before the last sentence in the section) to justify the application of the name pleasure to the absence of pain. The words in this parenthesis seem to imply, though they do not definitely assert, the doctrine that *all* pleasure springs from the removal of pain. Thus the distinction between active and passive pleasure is swept away. The argument in the parenthesis is a *sorites*; for this see my n. on Acad. 2, 49.

7. **liberatione**: the context often throws on verbal nouns from active verbs a kind of passive meaning; and in

omne autem id quo gaudemus voluptas est, ut omne quo offendimur dolor, doloris omnis privatio recte nominata est voluptas. Vt enim, cum cibo et potione fames sitisque depulsa est, ipsa detractio molestiae consecutionem affert voluptatis, sic in
38 omni re doloris amotio successionem efficit voluptatis. Itaque
 non placuit Epicuro medium esse quiddam inter dolorem et

1 omne...gaudemus: om. ed. Colon.

a similar manner the gerund often takes a passive tinge (Nägelsbach § 59 a, 1).

omnis: this may be an error for *omni*; in that case *vacuitate omni* would correspond to *omnis privatio* below.

molestiae: possibly a rendering of the common Epicurean term *ταραχῆς*; or perhaps *vacuitate molestiae* represents *ἀπαθεία*, a word often rendered by *non dolendi* (2 § 38), or perhaps *ἀπονία*, or *ἀνοχλῆσις* (Diog. L. 2, 87-9).

gaudemus: the distinguishers of synonyms in ancient and modern times have sometimes asserted that *gaudere* is not used in close connexion with pleasure of the senses. The restriction is disregarded by Cic. Tusc. 5, 96 corpus gaudere tam diu, dum praesentem sentiret voluptatem.

1. omne...gaudemus: πᾶν τὸ χαρτόν.

2. doloris...privatio...voluptas: on the surface (but only on the surface) the tendency of Epicurus would seem to be to treat pain as something positive, pleasure as something negative. A writer (E. J. Dillon) in the 'Contemporary Review' for Feb. 1894 traces this tendency in the author of Ecclesiastes and illustrates it from Schopenhauer ed. Grisebach, II, 676, 677: 'We feel pain but not painlessness; we feel care but not exemption from it; fear but not safety....Only pain and privation are perceived as positive and announce themselves; well-being on the contrary is merely negative. Hence it is that we are never conscious of the three greatest boons of life, health, youth and freedom, as such, so long as we possess them, but only when we have lost them: for they too are negations....The hours fly the quicker the pleasanter they are; they drag themselves on the slower, the more painfully they are passed, because pain not enjoyment is the something positive whose presence makes itself felt.' So the haters of pleasures mentioned in Plat. Phileb. 44 c contend that they have no real existence, being merely λυπῶν ἀποφυγαί. Plut. non posse

etc. 7 (1091 a) makes Epic. identify κακῶν ἀποφυγή with τὸ χαρτόν and τάγαθόν. Aristippus denied the middle state; and the followers of Anniceris called the pleasure of Epicurus 'νεκροῦ κατὰστασιν' (Clem. Al. Strom. II, 21, p. 179, 36). But Epic. holds rather with the writer of Eth. N. 7, 14, 8 (1154 b 26) οὐ μόνον κινήσεως ἐστὶν ἐνέργεια ἀλλὰ καὶ ἀκινήσας, καὶ ἡδονὴ μᾶλλον ἐν ἡρεμίᾳ ἐστὶν ἢ ἐν κινήσει: while in c. II § 4 the doctrine that ἡδονή is ἀγαθόν is met by the statement that ὁ φρόνιμος τὸ ἀλιπὸν διώκει οὐ τὸ ἡδύ. [Plut. n. p. s. v. c. 30 (1106 f) argues that if κακῶν ἀποφυγή is ἀγαθόν, then στέργησις ἀγαθῶν is κακόν: therefore Epic. must allow death to be κακόν.]

3. cibo et potione: *potus* occurs in Cicero only in a very doubtful passage, Div. I, 60 immoderato potu atque pastu, where probably the writers of the mss. have assimilated *potione* (written contractedly) to the word *pastu*. *Potus* is common in the imperial period of literature, but I have found no example of certainly earlier date than those which occur in the elder Pliny.

4. detractio, etc.: Nägelsb. § 61 quotes this passage as illustrating what he calls the 'rhetorical' use of verbal nouns, by which artificial evenness and uniformity are secured. He thinks that many of these nouns probably owe their existence to this striving after 'concinntas.'

5. successionem: this, like many other verbal nouns, is rare in Cicero. Nizoli quotes two exx., one from 'Hortensius' is given by Aug. vit. beat. and it does not seem to occur in the ordinary collections of fragments, the other is described as Brut. 17, and is in a letter of Brutus to Atticus (I, 17, 2).

6. non placuit: in many such phrases the negative coalesces with the verb and gives a meaning stronger than the mere negation of the original verb; here *non placuit* = 'he rejected the idea.' In Phileb. 44, 45, Plato mentions people (Grote thinks Pythagoreans,

voluptatem; illud enim ipsum quod quibusdam medium videtur, cum omni dolore careret, non modo voluptatem esse, verum etiam summam voluptatem. Quisquis enim sentit, quem ad modum sit affectus, eum necesse est aut in voluptate esse aut in dolore.

5 Omnis autem privatione doloris putat Epicurus terminari sum-

1 videtur: recte tuetur hanc codicum omnium lectionem C. F. W. Müller; *vide-retur* edd. non nulli post Manutium (etiam Madvigius. Vid. comm.). 4 affectus: *effectus* E; (ita *effecta* in § 39).

Zeller Antisthenes), μάλα δεινὸς λεγόμενος περὶ τὴν φύσιν, who held a view like that of Epicurus, and condemns them, cf. Phil. 51 A. So elsewhere, as Rep. 584 c λυπῶν τινὲς ἀπαλλαγὰι. Plut. adv. Col. 27 (1123 a) contends much like Plato, τὸ δὲ πόνου καὶ ἡδονῆς μηδὲν εἶναι μέσον οὐκ ἀποφαί-νεσθε παρὰ τὴν πάντων αἰσθησιν ἥδεσθαι τὸ μὴ ἀλγεῖν καὶ πονεῖν τὸ μὴ ἡδεσθαι λέγοντες.

medium: somewhat similarly, the writer of Eth. Nicom. 7, 14, 5 contends that the mere absence of pleasure and actual pain (τὸ μηδέτερον) may be actually λυπηρόν. The school of Aristipus contended that ἀπονία is only οἰονεὶ καθεύδοντας κατάστασις (Diog. L. 2, 89), like νεκροῦ κατάστασις in Clem. Al. qu. above.

1. *videtur*: Matthiae (followed by several scholars) proposed to treat the words *quod...videtur* as a parenthesis, giving the opinion of Torquatus; but Madvig rightly asserts that the words belong, grammatically and by sense, to the quotation from Epicurus. From this he draws the conclusion that the change to *videretur* is a necessity. C. F. W. Müller says alteration is no more necessary here than in § 20 tantum enim esse censet quantus videtur, and in other passages which he quotes. That the *tense* of *careret* does not decide the matter may be seen from such passages as § 25, *referatur*, where see n.

2. *cum...careret*: the subject is *illud ipsum*. A comparison with 2, 10 quod ais cum dolore careamus, suggests that *carerent* may be the right reading here. Philib. 43 D ὡς ἡδιστον πάντων ἐστὶν ἀλύπτως διατελεῖν τὸν βίον ἅπαντα: Plut. non p. s. v. 1088 c (Us. § 417).

3. *summam voluptatem*: the most famous passage of Epicurus bearing on this doctrine was the third of the *κυρταὶ δόξαι*, which Cicero had in mind here: ὁρος τοῦ μεγέθους τῶν ἡδονῶν ἢ παντὸς τοῦ ἀλγούντος ὑπεξαίρεσις. ὅπου δ' ἂν τὸ ἡδόμενον ἐνῇ, καθ' ὃν ἂν χρόνον ᾖ, οὐκ

ἐστὶ τὸ ἀλγούν ἢ τὸ λυπούμενον ἢ τὸ συναμφοτέρον (cf. the 18th δόξα). The references in ancient literature to the maxim are numerous: so Gell. 2, 9, 2, where a trivial criticism of the definition by Plutarch is repelled; ib. 2, 6, 12 (repeated by Macrobius 6, 7, 15); Plut. Qu. Conviv. 635 a; Sext. Emp. A. M. 1, 273, 283. [A curious Herculanean fragment is quoted by Usener, p. 72, in which the text of the maxim is discussed; some of the mss., it is said, give παντός, some omit it, while the good mss. present ἐξαίρεσις not ὑπεξαίρεσις.] See Tusc. 3, 47; below 2 §§ 28, 41; Plutarch, non posse, etc. 7 (1091 b); Lact. inst. 3, 8, 10 (Usener § 419); an unknown Epicurean author qu. by Us. § 434.

quisquis, etc.: Olympiod. in Plut. Phil. p. 275 ὁ Ἐπίκουρος οὐκ οἰεται μὴ γινῆσθαι λύπην ἡδονῇ μηδὲ γὰρ ἀγαθῷ τὸ κακόν (a direct denial of the μᾶξις λυπῆς καὶ ἡδονῆς in Phil. 48). Epicurus ap. Stob. flor. 17, 35 τότε χρεῖαν ἔχομεν τῆς ἡδονῆς ὅταν ἐκ τοῦ μὴ παρεῖναι αὐτὴν ἀλγῶμεν· ὅταν δὲ τοῦτο μὴ πάσχωμεν ἐν αἰσθήσει καθεστῶτες, τότε οὐδεμία χρεῖα τῆς ἡδονῆς. The words ἐν αἰσθήσει καθεστῶτες are so like the clause *quisquis...sentit*, that Cicero must be drawing on the same passage of Epicurus. Inscr. of Oinoanda, p. 409, ἡμεῖς δὲ ζητῶμεν ἡδὴ πῶς ὁ βλος ἡμῶν ἡδὺς γένηται καὶ ἐν τοῖς καταστήμασι καὶ ἐν ταῖς πράξεσιν· περὶ δὲ τῶν καταστημάτων πρῶτον εἰπωμεν ἐκεῖνο τηροῦντες τὸ δὴ ὅτι τῶν ὀχλοῦντων τὴν ψυχὴν παθῶν ὑπεξαίρεθέντων τὰ ἡδοντα αὐτὴν ἀντιπαρέχεται.

5. *omnis...doloris*: = παντὸς τοῦ ἀλγούντος: here *omnis* not *omni* is necessary.

terminari: a representation of ὁρος ἐστὶν in the third δόξα. Sometimes πέρας is substituted in the quotations for the actual word used by Epicurus; so Porphyry. de abstin. 1, 51 (Us. § 463); Plut. Qu. conviv. 635 a ὅρον καὶ πέρας. Cf. Sidon. Ep. 1, 6, 5 (Epicurus) summum bonum sola corporis voluptate determinat (πέρας in δόξα 18; cf. Us. § 434).

mam voluptatem, ut postea variari voluptas distinguere possit, 39 augeri amplificarique non possit. At etiam Athenis, ut a patre audiebam facete et urbane Stoicos irridente, statua est in Ceramico Chrysippi sedentis porrecta manu, quae manus significet illum in hac esse rogatiuncula delectatum: 'Numquidnam manus 5

2 a patre: *e patre* E. 3 irridente: *arridente* AEP.

1. **variari**: the highest pleasure lies in the καταστηματική ἡδονή: if the ἡδονή ἐν κινήσει be added to this, it does not increase the intensity of the pleasure, but merely gives it variety. So the 18th δόξαι: οὐκ ἐπαύξεται ἐν τῇ σαρκὶ ἡ ἡδονή, ἐπειδὴν ἀπαξ τὸ κατ' ἐνδεῖαν ἀλγοῦν ἐξαίρεθῇ, ἀλλὰ μόνον ποικίλλεται: Plut. n. p. s. c. 3 (1088 c) speaks of ποικιλοῦς τινάς. Cf. below 2, 10, where the notion of ποικιλμός is criticised; see also the criticism in 2, 75 and an important passage in Sen. ep. 66, 45 f. Cicero here (more suo) represents the verb ποικίλλεσθαι by two Latin verbs, *variari* and *distingui*; ἡδονή when once grasped is like ἀρετή when won by the Stoic σοφός, 'rigidari quidem, amplius intendi non potest.' Sen. ep. 71, 20.

The function of the active pleasure is therefore to do away with monotony; but as we shall see, much of it cannot be admitted without the danger to the existence of ἀπνοία itself.

2. **at etiam**: these are hardly the words by which we should have expected a criticism like this to be introduced.

a **patre**: Madvig: 'saepius Cicero *audire ex* aut *de aliquo* dixit, rarius *audire ab al.*' This is not quite borne out by the quotations in Merguet's lexicons, which yield (approximately) 58 instances of *ex*, 18 of *ab*, and only 6 of *de*. In the case of *quaerere*, *ab* is nearly as common as *ex*, the numbers being about 47, 58 and 9. Of the passage in Fam. 10, 28, 3 illa cognoscas ex aliis, a me pauca, Madvig says: 'mire haec (*ex* and *a*) coniunguntur.' But most writers do thus occasionally avoid repeating a preposition; cf. Verr. 3, 130 non hoc nunc primum audit privatus de inimico, reus ab accusatore; N.D. 1, 60 Simonide, de quo cum quaevisset hoc idem tyrannus Hiero, deliberandi sibi unum diem postulavit; cum idem ex eo postridie quaereret...; Cato m. 43 audisset a Cinea...ex eo audientes. So, too, in Verr. 2, 1, 32 nihil a me de pueritiae flagitiis audit, nihil ex illa impura adulescentia sua; the change from *de* to *ex* is merely for

change's sake; cf. Varro de r. r. 1, 22, 2 potius ad utilitatem quam ob speciem (unreasonably suspected by Keil); Clark on Mil. 51. [With *quaerere* Caes. has *ab* thrice, *ex* six times, *de* not at all; Tac. has no *exx.* of *ab* or *de*, and only two of *ex*, both in the legal phrase *in aliquem ex servis quaerere*. Fügner's Lexicon gives 12 or 13 *exx.* of *quaerere ab aliquo* in Livy and about the same number of *audire ab aliquo*.]

patre: L. Manlius Torquatus cons. 65 B.C.

3. **facete et urbane**: n. on 2, 103. **statua**: Diog. L. 7, 182 ἦν δὲ Χρύσιππος καὶ τὸ σωμάτων εὐτελής· ὡς δὴλον ἐκ τοῦ ἀνδριάντος τοῦ ἐν Κεραμεικῷ· δὲ σχεδὸν τι ποικίλονται τῷ πλησίον ἱππεὶ ὄθεν αὐτὸν ὁ Καρνεάδης Κρύσιππον ἐλεγεν. Pausan. 1, 17, 2, speaks of a statue of Chrysippus as being ἐν τῷ γυμνασίῳ τῆς ἀγορᾶς ἀπέχοντι οὐ πολὺ. The Ceramicus contained the ἀγορά and the name was sometimes used to indicate the market. The γυμνάσιον is that of Ptolemy, which seems from certain inscriptions to have contained a library and to have been used for philosophical lectures. The identity of the statue mentioned by Pausanias with that to which allusion is made by Cicero is doubtful; see Iwan Müller's Handb. III, p. 379, n. 3; Wytenbach says the statue is mentioned by Plut. Sto. Rep. 1033 E.

4. **quae manus**: for the repetition see Div. in Caec. § 41 illius temporis quo die. Thomas says Eberhard gives 4 *exx.* from Epp. He adds Hor. od. 4, 11, 15.

5. **in hac...delectatum**: Cicero uses *delectari* in only twice elsewhere: Leg. 2, 17 in hoc admodum delector, and Fam. 6, 4, 4 in hac inani prudentiae laude delector; for two other passages, viz. Att. 16, 5, 2 incredibile est quam me in omni genere delectarit and Rep. 1, 1 Catoni licuit se in otio delectare, are clearly not parallel; cf. Att. 2, 4, 2 cum Musis nos delectabimus; Hyg. astr. 2, 27 cum Musis solitus est delectari. [In Leg. 1, 5 the *in* has no authority.] A rare construction is found in De Off. 1, 135 neque enim omnes isdem de

tua sic affecta, quem ad modum affecta nunc est, desiderat?'—'Nihil sane.'—'At, si voluptas esset bonum, desideraret.'—'Ita credo.'—'Non est igitur voluptas bonum.' Hoc ne statuam quidem dicturam pater aiebat, si loqui posset. Conclusum est 5 enim contra Cyrenaicos satis acute, nihil ad Epicurum. Nam si ea sola voluptas esset quae quasi titillaret sensus, ut ita dicam,

2 at si...credo: om. ed. Colon.

2 desideraret...bonum: om. E.

rebus...delectamur. The *de* there may be caused by dittography from *dem* (*dē*); or perhaps may possibly be due to the occurrence of *sermones...de negotiis* in the preceding sentence. But *gaudere* *de* occurs in Cic. Tac. Treb. Poll. Valer. ap. Georg. Mühlmann, Lex. s. v. *Gaudere* in occurs in Lucr. 3, 72 crudeles gaudent in tristi funere fratris; Catull. 22, 17 tam gaudet in se tamque se ipse miratur; Prop. 4, 18, 28; 5, 8, 63. Similarly *gloriarī* in below (4, 51); N.D. 3, 87; Tusc. 1, 48; Rep. 1, 11; Off. 2, 59; Ligar. 25 (cf. 20). *Laetari* in, Phil. 11, 9.

Fin. 2, 106 is an example of *in* of a different kind.

rogatiuncula: '*rogatiunculam* Cicero dixit totum syllogismum, ut alibi interrogationem, interrogare' (Madvig). So were used very frequently *ἐρώτημα*, *ἐρωτᾶν* from Aristotle's time onward, whether the argument was in question-form or not; see the material collected in my n. on Acad. 1, 5. *Rogatiuncula* seems to occur here only in this sense; but in De Dom. 51 it is the diminutive of *rogatio*, 'a proposal for legislation.' On the other hand, *rogatio* is not employed to denote the syllogism, although *interrogatio* occurs a good many times with this meaning. [*Interrogatiuncula* below, 4, 7; Parad. prooem. 2, and in Sen. and Macrob.]

numquidnam: twice in the philosophical writings; and Planc. 65; *numquisnam* two or three times in the speeches.

1. *sic...quem ad modum*: Draeger, Hist. Synt. 11², p. 632.

3. *credo*: not ironical here. Prof. Ellis in Journ. of Phil. xix, p. 150 defends with plausibility the reading of the Avranches ms. in Orat. 155 ita credo, hoc illi nesciebant, where edd. give *id credo*, omitting *hoc*.

ne statuam quidem: 'Ruhnkenius (ad Rutil. p. 129) cum in cod. Leidensi *quidem* abesse vidisset, probavit omissionem habuitque adsentientem Goerenzium, qui nescio quid de sono balbutit.'

M. then demonstrates the idea that *ne* could stand for *ne...quidem* to be a delusion, based on errors in mss. There is an elaborate examination of the history of *ne...quidem* in Latin by Grossmann (Allenstein progr. 1884) known to me only from a review by Jordan in Archiv 1, p. 600. Grossmann proves that Cicero greatly developed its uses after Terence.

5. *nihil ad*: for this phrase (used only with ellipse of verb) see my n. on Acad. 1, 15. The comma after *acute* (Madv. etc.) is insufficient, as the words *nihil ad Epicurum* stand by themselves and have no connexion with *conclusum est*.

6. *ea*: slight attraction; cf. 2 § 75.

quasi titillaret: *quasi* is here as often the mark of a tentative translation from the Greek; *titillare*, *titillatio* occur in Cicero only in connexion with *ἡδονή* and are always preceded by *quasi*. Cf. N.D. 1, 113 *quasi titillatio*, Epicuri enim hoc verbum est; Cleomedes 2, 1, p. 166 Ziegler *γαργαλισμοὺς σώματος* (given as a characteristic phrase of Epicurus); Athenaeus, 12, 546 *εὐ οὐ μόνος δὲ Ἀριστιππος καὶ οἱ ἄπ' αὐτοῦ τὴν κατὰ κίνησιν ἡδονὴν ἡσπάζοντο, ἀλλὰ καὶ Ἐπίκουρος καὶ οἱ ἀπὸ τούτου. καὶ ἵνα μὴ τοὺς καταγισμοὺς λέγω καὶ τὰ ἐπεντρώματα, ἅπερ πολλάκις προφέρεται ὁ Ἐπίκουρος, καὶ τοὺς γαργαλισμοὺς καὶ τὰ νύγματα...*; also Plutarch 1090 b quoted by Usener, fragm. 411-13. The verb *γαργαλίζειν* often occurs in Philodemus *περὶ ποιημάτων* in reference to the 'ear-tickling' qualities of poetry; see Gomperz, Philodem u. d. ästhetischen Schriften des Epicurus, p. 16; and cf. Varro, Ep. ad Fufium ap. Non. 117 Quintiporis Clodius Antipho fies; ac poemata eius gargaridians ('savourant') dices 'o fortuna, o fors.' The word *γαργαλισμός* occurs with a kind of ref. to pleasure in Plato, Phileb. 46 D, where the *ἡδοναὶ τῆς ψώρας* and *τῶν γαργαλισμῶν* are mentioned together, but the word is used in a different manner from that of Epicurus; it denotes there not any pleasurable excitation of the senses, but the counter-irritation applied to a sore or uneasy spot in the flesh, which some-

et ad eos cum suavitate afflueret et illaberetur, nec manus esse contenta posset nec ulla pars vacuitate doloris sine iucundo motu voluptatis. Sin autem summa voluptas est, ut Epicuro placet, nihil dolere, primum tibi recte, Chrysippe, concessum est, nihil desiderare manum, cum ita esset affecta, secundum non recte, 5 si voluptas esset bonum, fuisse desideraturam. Idcirco enim non desideraret quia quod dolore caret id in voluptate est.

- 40 XII. Extremum autem esse bonorum voluptatem ex hoc facillime perspicui potest: Constituamus aliquem magnis multis perpetuis fruenter et animo et corpore voluptatibus nullo dolore 10 nec impediante nec impendente, quem tandem hoc statu praestabiliorem aut magis expetendum possimus dicere? Inesse enim

2 nec ulla: *ut ulla E.*

2 pars E: *par A:* om. *nec et pars dett.*

5 non recte, si: *si non recte E.*

times may produce a satisfaction: cf. Cic. Leg. 1, 47 dulcedine hac et scabie (contemptuous substitution of ψώρα for γαργαλισμός—scabis in Sen. ep. 75, 7 (sc. *auris*)). The verb *titillare* occurs in Lucret. 2, 429 (but in a different connexion), and Hor. sat. 2, 3, 179 ne vos titillet gloria; the noun *titillatio* in Sen. ep. 92, 6. Cognate words found in late writings are *titillus*, *titillosus*, *titillatus*, *titillamentum*; see the large collection of exx. by A. Funck in Archiv 4, 240 sq. Add C.G.L. III, 132, 55 (γαργαλλίζειν expl. by *titillicare*). Many attempts have been made to explain the etymology of this group of words. Some have regarded *titillare* as reduplicated from the same root as that of τλλειν. But for the barrier of quantity, one would be inclined to suspect a connexion with *titio*, a firebrand, *titulus*, something branded. A. Funck (l.l.) hints at a relationship with *titus*=*penis* (Bücheler in Archiv 2, 118); but the difference of quantity is an insuperable barrier.

1. *afflueret*: the word is here used (and in N.D. 1, 49; Qu. Fr. 3, 3, 1) in a sense more nearly literal than is common in Cicero, who usually attaches to it an idea of richness and abundance; so 2, 93 afflueret voluptatibus; Tusc. 5, 16 voluptates affluentius hauriat; Div. 1, 61 eaque parte animi quae voluptate alitur nec inopia enecta nec satietate affluenti—quorum utrumque praestringere aciem mentis solet, sive deest naturae quippiam sive abundat atque affluit. [In the last passage the readings of many editions, *affluenti* and *affluit*, are insupportable.]

4. *primum...secundum*: the premisses are denoted by *superius*, *inferius* in Acad. 2, 96.

5. *cum*: here *temporal*; cf. above *quem ad modum affecta nunc est*.

6. *idcirco*: this word, common in the dramatic writers, is of very frequent occurrence in Cicero, but is sparingly used by most other authors (twice by Caes., once by Sall., once by Tac.).

7. *desideraret*: it is possible that Cicero wrote *desideratura erat*.

8. *hoc*: referring on, not back; see 2, 16.

9. *constituamus*, etc.: this is the unrealised picture of the happiness of the *sapiens* (see 2, 88 n.) or that of the gods. In Philod. περί θεῶν διαγωγῆς (Herc. fragm. 152, 18; Scott, p. 112) συνεχῶς ἡδεσθαι seems to be applied to the life of the gods, and in the same treatise (Scott, p. 134) it appears to be inculcated that the mortal nature does permit of long-continued positive enjoyment. Ibid. (Scott, p. 135) τελειοτάτη ἀκαταπληξία πρὸς τὰ θεῶν is attributed to the divine nature. [See the remarks made on this section in 2, 63.]

10. *animo*: the *voluptas animi* first appears here in the exposition of Torquatus; see n. on 55.

11. *impediēte...impēdēte*: an intentional jingle; so *necesse*, *inesse* below. See § 32. Cicero had in mind here, or was perhaps translating from a Greek original, the word ἀνεμπόδιστος: cf. § 33 nihil impedit etc.

12. *possimus*: the mood is influenced by that of *constituamus*. The context bears some resemblance to a passage in the letter of Epicurus to Menoeceus

necesse est in eo qui ita sit affectus et firmitatem animi nec mortem nec dolorem timentis, quod mors sensu careat, dolor in

(Diog. L. 10, 133): ἐπεὶ τίνα νομίζεις εἶναι κρείττονα τοῦ καὶ περὶ θεῶν ὅσια δοξάζοντος καὶ περὶ θανάτου διὰ παντὸς ἀφόβως ἔχοντος καὶ τὸ τῆς φύσεως ἐπιτελογισμένου τέλος, καὶ τὸ τῶν ἀγαθῶν πέρας ὡς ἔστιν εὐσυμπλήρωτόν τε καὶ εὐπύριστον διαλαμβάνοντος, τὸ δὲ τῶν κακῶν ὡς ἡ χροῖνος ἢ πόνους ἔχει βραχείς. Madvig remarks that in Epicurus this passage follows on one asserting the close connexion between virtue and pleasure, and he seems to blame Cicero for introducing a similar passage before that connexion has been discussed. But the passage in Epicurus has no intimate reference to the passage that precedes it, and no harm is done by severing it from the context. And Cicero's authority here can hardly be the letter to Menoeceus itself. Doubtless the same ideas were propounded by Epicureans in other writings where the context was different. Madvig again criticises Cicero because 'non ex voluptatis perceptione sequitur ut is, qui eam percipiat, sit sapiens Epicureus.' But the picture drawn is nothing else but a picture of the Epicurean ideal wise man; for he alone (with the exception of the gods) can experience continuous pleasure. Cf. § 57.

inesse enim, etc.: the passage is slightly illogical, as was seen by Guyet and some other editors, who wrongly inferred that it was corrupt. Torquatus has pictured his ideal man as unassailed by pain. He now says that he must meet pain with fortitude. It is implied, though not stated, that the ideal man's intellectual firmness will win such a victory over pain as to leave his state of pleasurable happiness practically unaffected. See § 62 n.

1. **et firmitatem**: slight anacoluthon. 'Volebat Cicero adiungere et tranquillitatem, cum divinum numen non horreat, et memoriam praeteritarum voluptatum; pro his subiecit: Ad ea cum accedit, etc.' (Madvig).

firmitatem: εὐστάθειαν, a common Epicurean term; see 2, 9 n.

2. **mors**: Torquatus only touches on the subject of death here and again briefly in §§ 49 (where see nn.) and 62; but in 2, 100 Cicero criticises the Epicurean view of death at some length. See the notes there. Madvig here remarks: 'ut alii, Epicurus statum post mortem consolabatur; ipsum vitae

desiderium et timorem dissolutionis non attingebat.' In the tract 'non posse suaviter vivi, etc.' Plutarch brings the same charge (cc. 27, 29, pp. 1105, 6). But there is much in the fragments of Epicurus to show the injustice of the allegation. The words of Epic. (ap. Porphyry. ad Marcellam, 31, p. 209, 21, Us. § 457) supply the answer: 'ἔρωτι φιλοσοφίας ἀληθινῆς πᾶσα ταραχώδης καὶ ἐπίπονος ἐπιθυμία ἐκλύεται.' But, further, the whole scheme of Epicurus had for one of its chief aims the uprooting of the 'timor dissolutionis' and the 'vitae desiderium.' These are inextricably bound up with the dread of pain, gods, and the hereafter, and would in large measure disappear when true views on these subjects had been grasped; the purification of the intellect and the passions by philosophy would accomplish the rest. Cf. Diog. L. 10, 124 γνώσις... τὸν τῆς ἀθανασίας ἀφελομένη πόθον. Thus, 'the sense of death is most in apprehension' (Measure for Measure, 3, 1, 78). For the unfortunate man there can be, rationally, no πόθος τοῦ ζῆν, for death is to him a λῆμνη τῶν κακῶν: while the happy philosopher will not prove himself to have been unworthy of his happiness by grumbling like a thankless guest when he has to leave the bountiful banquet of life (see LUCR. 3, 931-77). Epicurus, indeed, dealt with the *desiderium vitae* much as did the Stoics and Peripatetics; cf. Usener, notes to p. 310. The following passage has quite a Stoic form: 'ὥσπερ δὲ σιτίον οὐτὸ πλείον πάντως ἀλλὰ τὸ ἥδιον αἰρεῖται (ὁ σοφός), οὕτω καὶ χρόνον οὐ τὸν μήκιστον, ἀλλὰ τὸν ἥδιστον καρπίζεται' (Diog. L. 10, 126). Cf. 3, 60, 61.

dolor...consoletur: Diog. L. 10, 133 τὸ τῶν κακῶν (πέρας) ἢ χροῖνος ἢ πόνους ἔχει βραχείας: ib. 140 (κυρία δόξα iv) οὐ χρονίζει τὸ ἀλγούν συνεχῶς ἐν τῇ σαρκί, ἀλλὰ τὸ μὲν ἄκρον τὸν ἐλάχιστον χρόνον πάρεστι, τὸ δὲ μόνον ὑπερτείνειν τὸ ἡδόμενον κατὰ σάρκα οὐ πολλὰς ἡμέρας συμβαίνει. αἱ δὲ πολυχρόνιοι τῶν ἀρωσσιῶν πλεονάζον ἔχουσι τὸ ἡδόμενον ἐν τῇ σαρκί ἢ περὶ τὸ ἀλγούν: Wotke-Usener, Vatican γνώμαι § 4 πᾶσα ἀλγηδὼν εὐκαταφρόνητος· ἡ γὰρ σύντονον ἔχουσα τὸ πονοῦν σύντομον ἔχει τὸν χρόνον, ἡ δὲ χρονίζουσα περὶ τὴν σάρκα ἀβληχρόν ἔχει τὸν πόνον: cf. § 49, below. Inser. of Oinoanda (Heberdey and Kalinka, ap. Bull. de Corr. H. xxi, 375) τῶν ἀλγηδόνων αἱ ἄκρα χρονίζειν οὐ δύνανται· ἡ γὰρ ταχὺ

longinquitate levis, in gravitate brevis soleat esse, ut eius magnitudinem celeritas, diuturnitatem allevatio consoletur. Ad ea cum accedit ut neque divinum numen horreat nec praeteritas voluptates effluere patiatur earumque assidua recordatione laetetur, quid est quod huc possit, quod melius sit, accedere? 5

1 levis: *lenis* AP. 2 allevatio: *elevatio* E. 3 numen: *nomen* E. 5 quod melius: *quo m.* C. F. W. Müller; vid. comm. 5 accedere: *accidere* E.

τὸ ζῆν ἀναιροῦσαι συναναιροῦνται καὶ αὐταί, ἢ ὑφαίρεσιν λαμβάνουσι τῆς ἀκρότητος.

1. in longinquitate: 'when it is lasting'; Draeger § 298, 7.

levis...brevis: for the jingle see 2, 22 and n. there. Seneca often adopts this consolation of Epicurus: so ep. 24, 2 (without mentioning Epic.) timorem tuum taxa et intelleges profecto aut non magnum aut non longum esse quod metuis; so § 14 (of *dolor*) levis est si ferre possum, brevis est si ferre non possum; similarly in 30, 14 Aufidius Bassus solaces himself with the words of Epicurus; cf. too 78, 7 nemo potest valde dolere et diu: sic nos amantissima nostri natura disposuit ut dolorem aut tolerabilem aut brevem faceret; 94, 7 optimam doloris esse naturam, quod non potest nec qui extenditur, magnus esse nec qui est magnus, extendi. In Tusc. 5, 88 Cicero says of Epic.: 'de dolore certa habet quae sequatur cuius magnitudinem brevitate consolatur, longinquitatem levitate,' and then asserts that for facing death and pain the grandiloquent Stoics are no better equipped than Epicurus. See also notes on § 49 and 2, 22.

soleat esse: as to the emphatic position of *esse* at the end of the clause, see my note on Acad. 2, 22.

2. celeritas: short duration, as Lael. 12 moriendi sensum celeritas abstulit, Rep. 3, 34.

allevatio: a rare word; Fam. 9, 1, 1; Quint. 11, 3, 83 all. umerorum; the only other references in the lexica are from late writers. But *allevamentum* in Sull. 66 is equally rare. Perhaps (like many other rarities) these expressions were colloquial; the verb *allevare* is also rare in Cicero; once in the philosophical writings (in a quotation) and once in the speeches, and rarely elsewhere as Att. 7, 1, 1 (of relief from bodily pain); ib. 12, 39, 2; Brut. 12.

3. accedit...accedere: the repetition of the verb is awkward, but there are many parallels in Cicero; Madvig

quotes some in his note here; see also my note on Acad. 2, 31.

divinum numen: the only passage where this is mentioned in book 1 (cf. 2, 21). Cicero's whole exposition here is free from the Epicurea cantilena (Sen. ep. 24, 18) which Lucr. has so largely.

4. effluere: the σοφός 'praeterita grate meminit,' § 62; 2, 104 (the σοφός takes care not to remember past pains); ib. 106; Tusc. 5, 96 nec (animum sapientis) praeteritam (voluptatem) praeterfluere sinere: ita perpetuas et contextas voluptates in sapiente fere semper, cum expectatio speratarum voluptatum cum perceptarum memoria iungeretur; Plut. non posse suaviter vivi etc. c. 18, p. 1099 d τὸ μεμνηῆσθαι τῶν προτέρων ἀγαθῶν μέγιστόν ἐστι πρὸς τὸ ἡδέως ζῆν (in c. 4, p. 1089 c some coarse jests of Carneades on this doctrine are quoted); see also Jerome and Augustine quoted in Usener § 437. Madvig complains that Epic. does not show how memory of past pleasure, mental or bodily, can influence a present pain of body or mind; but Epic. was no more to seek than most ancient and many modern philosophers in his views of the relation of mind to body. Effluere for effluere ex memoria or animo, Verr. 4, 57; Sil. 2, 627; ib. 3, 188; so excidere (often) and dilabi (Tusc. 4, 10; Sall. Jug. 27, 2).

5. huc...accedere: as Madvig says, accidere is out of place here, and if accedere be read, huc is necessary.

quod melius sit: in support of his reading (quo) C. F. W. Müller writes: 'non quale sit id quod accedat quaeritur; sed negatur quidquam posse accedere, quo voluptas augeatur.' This is logically correct; but many slight irregularities of the kind are to be found in Cicero. The question which of two things is more likely, viz. that Cicero was guilty of the illogicality, or that the writers of the mss. made the easy passage from quo to quod (influenced by the neighbouring quod), is a very nice one. If quo be read it will be like § 30 quid percipit... quo...; § 57 quam nihil praetermittatur,

Statue contra aliquem confectum tantis animi corporisque doloribus quanti in hominem maximi cadere possunt, nulla spe proposita fore levius aliquando, nulla praeterea neque praesenti nec exspectata voluptate, quid eo miserius dici aut fingi potest?

5 Quod si vita doloribus referta maxime fugienda est, summum profecto malum est vivere cum dolore; cui sententiae consentaneum est ultimum esse bonorum cum voluptate vivere. Nec

(C)

2 maximi: maxime EP. 3 levius: cuius ed. Colon. 3 aliquando: aliquanto AEP (ut coniecit Manutius).

quod vitam adiuvet, quo ('whereby,' not 'to the intent that') facilius id... consequamur; so § 72. [I have made a similar change from *quod* to *quo* in my text of Mil. 2, where my reading has been strangely misunderstood by Prof. Clark *ad loc.*; see the appendix to the revised edition.]

1. statue: so *constitue* above; so Acad. 2, 117 *finge* aliquem nunc fieri sapientem; Verr. 3, 23 *fingite* vos aliquem qui; cf. Plato, Rep. 488 A νόησον γὰρ τοιοῦτον. So τιθέναι (pone Sen. ep. 66, 22).

2. quanti...maximi: cp. Brutus in Ep. ad Brut. 1, 16, 1.

cadere in: so below, 3, 29 and 5, 93.

3. levius: sc. τὸ πρῶγμα: there is no need to read *leviores*, as has been proposed.

praeterea: merely continuative, as in § 42 *init.*; not like *pr.* at the end of this section.

4. exspectata: the construction is not abl. absolute, in which case *praesente* must have been written; *exspectata* is here a mere adjective; see note on *dolore futuro* in 2, 63. *Adiuncta* is substituted there for *praesenti* here.

dici aut fingi: so Flacc. 56; Mil. 5. For *fingere*, 'to imagine,' see 5, 53; generally with *animo* or *cogitatione*.

6. profecto: on this word see Lindsay, Lat. Lang. p. 590.

cui...vivere: Th. Bentley, Walker, Davies and other scholars treated these words as a gloss, because, without them, the whole passage from *statue contra aliquem* above to the end of this section would refer to the *summum malum*. Others (among them Madvig) while believing the passage to come from Cicero's hand, think that he would have done better to omit it. But (to defer for a moment the consideration of the sentence which follows) the whole exposition of Torquatus is much more directed to prove that *voluptas* is *summum bonum*

than that *dolor* is *summum malum*, and, like Eudoxus, Epicurus thought the main doctrine 'οὐχ ἥττον εἶναι φανερόν ἐκ τοῦ ἐναντίου' (Eth. N. 10, 2, 2); cf. § 30. Speusippus denied the validity of the argument; see Eth. 10, 2 and 7, 13, 1. The argument ἐκ τοῦ ἐναντίου is of course very common; so from *falsa* to *vera* in Acad. 2, 43 f. and from *mortalis* to *immortalis* in N.D. 1, 109. Madvig says of the next sentence 'pergit de summo malo.' But it is far from certain that *quidquam* refers to the *summum malum*.

7. cum voluptate vivere: so § 54; 2, 20 esse cum vol.; 1, 62 esse in v.; § 43 in tranquillitate vivi.

nec enim, etc.: the difficulties of this sentence are considerable. The omission of *aliud* with *quicquam* is very harsh; Madvig refers to § 18 and the exx. of *alius* omitted which he quotes in his note there; but not one of them is so awkward as this. It is most unlikely that Cicero wrote the words *nec... extremo* with a reference to the *summum malum*. It is natural to connect the words with those that precede; again *consistat* implies effort and desire, and *extremo*, if referred to evil, would have been made clear by some addition. Cf. below, 5, 44 *confitendum est, cum id adepti simus, quod appetitum sit, in eo quasi in ultimo consistere naturam, atque id esse summum bonum*. So *consistere* is 'to arrive at the goal of good' in 5, 40 and 86; Acad. 2, 139; Tusc. 5, 40 eorum, in quibus vita beata consistit. Cf. the word σταθῇ in Epic. ap. Plut. non posse suaviter vivi, c. 7, p. 1091 b: τὸ γὰρ ποιοῦν ἀνυπέρβλητον γῆθος τὸ πᾶντα πεφυγμένον μέγα κακόν· καὶ αὕτη φύσις ἀγαθοῦ, ἂν τις ὀρθῶς ἐπιβάλῃ, ἔπειτα σταθῇ, καὶ μὴ κενῶς περιπατῇ περὶ ἀγαθοῦ θρυλῶν. The sudden transition to pain again in the words *omnesque et metus* etc. is inconvenient, but after all that has been

enim habet nostra mens quicquam ubi consistat tamquam in extremo, omnesque et metus et aegritudines ad dolorem referuntur, nec praeterea est res ulla quae sua natura aut sollicitare
 42 possit aut angere. Praeterea et appetendi et refugiendi et omnino rerum gerendarum initia proficiscuntur aut a voluptate aut a dolore. Quod cum ita sit, perspicuum est omnis rectas res atque laudabilis eo referri ut cum voluptate vivatur. Quoniam autem id est vel summum vel ultimum vel extremum bonorum (quod Graeci τέλος nominant), quod ipsum nullam ad aliam rem, ad id autem res referuntur omnes, fatendum est summum esse bonum 10 iucunde vivere.

4 angere: *tangere* AEP ed. Rom.; *frangere* dett. non nulli: corr. Victorius.
 7 referri: *ferri* dett. 10 referuntur: *feruntur* A et P (sed *res* est in rasura).

said about the identity of the highest pleasure with the absence of pain, is not misleading. This same identity is again assumed in § 42. If the whole passage to the end of § 42 be read continuously it will be seen that the consideration of pain looks altogether to the conclusion that pleasure is the *summum bonum*. Usener, p. 267, places a full stop at *extremo* and says, 'hiat oratio, Ciceronis culpa an librariorum mihi non liquet.' (Why should the Epicurean friend who, as Usener imagines, supplied Cicero with an epitome, be here left out?) Usener then refers to certain passages, but they do not help us to understand exactly what he thinks ought to have been added to the exposition here.

2. *omnesque*: for *que* after negative see Draeger, *Hist. Synt.*, § 326, 4.

3. *sua natura*: the words are important. The other things besides pain which do as a matter of fact torment men are due to *κενοδοξία*.

sollicitare aut angere: Cato m. 66 angere et sollicitam habere; Qu. Fr. 3, 3, 1; Att. 1, 18, 1. In Cicero the verb *angere* is not common excepting in the passive (below, 2, 14; 4, 69). Here *angere* refers back to *aegritudines*, *sollicitare* to *metus*.

4. *appetendi*: ὁρμῆς or τοῦ ὁρμᾶσθαι: *refugiendi*, ἀφορμῆς: see my n. on Acad. 2, 30.

5. *rerum gerendarum initia*: πρᾶξεως ἀρχή (Eth. Nic. 1139 a, 31) or πρακτικαὶ ἀρχαί (ib. 1144 a, 35, where the context should be compared).

initia proficiscuntur: slight pleonasm as in the common phrase *initium ortum est* and the like; similarly Lael. 30

sed quamquam utilitates multae et magnae consecutae sunt, non sunt tamen ab earum spe causae diligendi profectae; Rep. 2, 4 huius urbis condendae principium profectum a Romulo.

6. *perspicuum*: in Cicero the common rendering of ἐναργής: see my n. on Acad. 2, 17.

rectas res atque laudabilis: πράγματα ὀρθὰ καὶ ἐπαινετά. In note on § 29 Madvig charges Cicero with incorrectness here and in 2, 5 omnia quae recte fierent, thinking (apparently) that the words employed are proper only in describing the Stoic view. The reference should rather be to the Stoic term κατόρθωμα than to καθήκον (see note on 3, 24). But the Epicureans claimed as much right as the Stoics to divide actions into the virtuous and the vicious, the praiseworthy and the unpraiseworthy; nor did they differ much from the Stoics in regard to the particular actions which deserve these titles, but only in regard to the reason for pursuing the right action and shunning the wrong. Why the words *rectas*, *recte* should be unsuitable for describing right action from the Epicurean point of view, is hard to see.

7. *referri*: note on § 11 above.

ut...vivatur: to make the argument fit in precisely with the words above (*aut a voluptate aut a dolore*) there should have been added here *aut ne cum dolore*.

8. *id est vel summum*, etc.: note on § 29.

9. *quod ipsum...ad id*: 'relativa sententia cum adversativa sic continuatur, ut opus sit pronomine expresso, naturali quodam orationis flexu transit in demon-

XIII. Id qui in una virtute ponunt et splendore nominis capti, quid natura postulet non intellegunt, errore maximo, si Epicurum audire voluerint, liberabuntur. Istae enim vestrae eximiae pulchraeque virtutes nisi voluptates efficerent, quis eas

4 voluptates: *voluptatem* AP, al.

strativam; cf. 2, 5. Latini non solum hoc modo saepe locuti sunt, sed, ut opinor, altero (*ad quod autem*) numquam' (Madvig).

1. una virtute: = *virtute per se ipsam*. The Epicureans contended that virtue cannot exist apart from pleasure, and that the Stoics erred in severing the two; and in emphasising the severance by their vaunts concerning τὸ καλὸν or *honestum*. Cf. § 61.

splendore nominis: cf. § 61 quod appellant *honestum*, non tam solido quam splendido nomine; Off. 3, 101 utilitatis nomen non tam splendidum quam necessarium; Hortens. fragm. 75 (Müller) hi nostri amici verecundantur capti splendore virtutis. Words strikingly similar occur in a passage of the Greek elegiac poet Hermesianax (v. 79 sq.; Bergk's *Anthologia Lyrica*, p. 137): οὐδὲ μὲν οὐδ' ὁπόσοι σκληρὸν βίον ἐκτίσαντο | ἀνθρώπων, σκολιὴν μαίμενοι σοφίην, | οὐς λεπτῇ περὶ πικρὰ λόγους ἐσφίγγατο μῆτις, | καὶ δεινὴ μύθων κῦδος ἔχουσ' ἀρετῇ. Hermesianax entitled his poems 'Leontion,' and the name has been identified with that of the well-known female disciple of Epicurus. But, although the lines just quoted would well fit an Epicurean speaking of Stoics, dates forbid the identification. Cf. note on 2, 48 voce inani sonare.

2. capti: here almost = *occaecati*; cf. 4, 37.

quid natura postulet: 5, 36 and 44.

3. istae...virtutes: cf. 3, 11 istam gloriosam memorabilemque virtutem.

vestrae: Torquatus seems here to indicate all schools other than the Epicurean. Cf. § 54 virtutum laus in qua maxime ceterorum philosophorum exultat oratio. We seem here to have a trace of the 'Old Academic' views of Antiochus of Ascalon, for which see my nn. on Acad. 1, §§ 7, 17, 18.

4. nisi voluptates efficerent, etc.: this is opposed to the doctrine of the Stoics and others, τὴν ἀρετὴν δι' αὐτὴν αἰρετὴν εἶναι: see note on 3, 32. In the Epistle to Menoeceus (Diog. L. 10, 132) Epicurus teaches: τούτων δὲ πάντων ἀρχὴ καὶ τὸ μέγιστον ἀγαθὸν φρόνησις... ἐξ ἧς αἱ λοιπαὶ πᾶσαι πεφύκασιν ἀρεταί,

διδάσκουσα ὥς οὐκ ἔστιν ἡδὲως ζῆν ἀνευ τοῦ φρονίμως καὶ καλῶς καὶ δικαίως <οὐδὲ φρονίμως καὶ καλῶς καὶ δικαίως> ἀνευ τοῦ ἡδὲως. συμπεφύκασιν γὰρ αἱ ἀρεταὶ τῇ ζῆν ἡδὲως, καὶ τὸ ζῆν ἡδὲως τούτων ἐστὶν ἀχώριστον. (Cf. below, § 57.) Virtue is inseparable from pleasure, all other things are separable (Diog. L. 10, 138): ὁ δ' Ἐπίκουρος καὶ ἀχώριστόν φησι τῆς ἡδονῆς τὴν ἀρετὴν μόνην, τὰ δ' ἄλλα χωρίζεσθαι, ὁλον βρωτῷ. In κυρ. δόξα 5 it is insisted that all three elements, φρονίμως ζῆν, καλῶς ζῆν, δικαίως ζῆν are necessary for happiness (cf. §§ 50, 62 below; and Tusc. 5, 26). The words of Epic. are repeated in many passages of ancient literature, as Cic. Tusc. 3, 49; Sen. dial. 7, 6, 3 and 10, 1 and 12, 3; id. Ep. 85, 18; Clem. Alex. Strom. 2, 21, p. 178, 51, Sylb. The virtues are not directly, but indirectly desirable, for the pleasure they bring. Athen. 12, 546 f (quoting from Epic. περὶ τέλους) τιμητέον τὸ καλὸν καὶ τὰς ἀρετὰς καὶ τὰ τοιούτοτροπα, ἐὰν ἡδονὴν παρασκευάζῃ. ἐὰν δὲ μὴ παρασκευάζῃ, ἐάτεον: Plut. Col. c. 2, p. 1108 c οἱ περὶ γαστέρα τάγαθον εἶναι βωύντες, οὐκ ἂν δὲ τὰς ἀρετὰς ὁμοῦ πάσας τετρημένον χαλκοῦ πριάμενοι δίχα τῆς ἡδονῆς πάσας πανταχόθεν ἂν ἐξελαθείας [I have inserted ἂν and read, with Usener, p. 315, πάσας... ἐξελαθείας for -ης]; Quint. 12, 11, 29 eorum qui a se non virtutes, sed voluptatem quae fit ex virtutibus peti dicunt; also the jocular treatment of the theme by Cassius, Fam. 15, 19. Diog. L. 10, 138 διὰ δὲ τὴν ἡδονὴν καὶ τὰς ἀρετὰς αἰρεῖσθαι, οὐ δι' αὐτάς, ὥσπερ τὴν λατρικὴν διὰ τὴν ὑγίειαν, καθὰ φησι καὶ Διογένης (of Tarsus); Max. Tyr. diss. 3, 5, p. 34 Reisk. The Stoic conception of a virtue dissoluble from pleasure was treated by Epic. with contempt: Athen. 12, 547 a (from Epic. περὶ τέλους) προσπύω τῷ καλῷ καὶ τοῖς κενῶς αὐτὸ θαυμάζουσιν, ὅταν μηδεμίαν ἡδονὴν ποιῇ: so Plut. Col. c. 30, p. 1124 e; and de occulte vivendo, c. 4, p. 1129 b. Sen. ep. 85, 18, 19 argues that as virtue invariably produces pleasure, virtue is *per se* enough to produce happiness. The view of Aristippus and other Hedonists was of course the same; Diog. L. 2, 91; Off. 3, 116. In his system the wise

aut laudabilis aut expetendas arbitraretur? Vt enim medicorum scientiam non ipsius artis, sed bonae valetudinis causa probamus, et gubernatoris ars, quia bene navigandi rationem habet, utilitate, non arte laudatur, sic sapientia, quae ars vivendi putanda est,

1 arbitraretur: *arbitraretur* A¹. 2 scientiam: *sententiam* ed. Col. (vulgato errore).

man avoids immoral action, because of the pains and penalties which it entails (Diog. L. 2, 93). Against the Stoic τὸ καλὸν Epic. wages an ἀσπονδον καὶ ἀκήρυκτον πόλεμον (Plut. non posse suaviter vivi etc. c. 13, p. 1095 f). Naturally his enemies treat everything that he advances against the Stoic conception of virtue as being directed against virtue, *sans phrase*. Thus e.g. Plut. non posse etc. 12 (1095 b) accuses the Epicureans of saying that virtue is a πραγματεία ἀτερπὴς καὶ ξηρά, which is the very opposite of what they did teach. Aristotle often speaks of the connexion between ἀρετή and ἡδονή: thus Eth. N. 2, 3, 2 *el* ἀρεταί εἰσι περὶ πράξεις καὶ πάθη, καὶ πάση πράξει ἐπεται ἡδονή καὶ λύπη, καὶ διὰ τοῦτ' ἂν εἴη ἡ ἀρετὴ περὶ ἡδονὰς καὶ λύπας: Ib. 10, 3, 12 οὐδὲν ἂν ἔλοιτο... χαίρειν ποίων τι τῶν αἰσχίστων μηδέποτε μέλλων λυπηθῆναι. περὶ πολλά τε σπουδὴν ποιησάμεθα ἂν καὶ εἰ μηδεμίαν ἐπίφοροι ἡδονήν, οἷον ὄραν, μνημονεύειν, εἰδέναι, τὰς ἀρετὰς ἔχειν. *el* δ' ἐξ ἀνάγκης ἐπονται τοῖσι ἡδοναί, οὐδὲν διαφέρει. ἔλοιμεθα γὰρ ἂν τὰ ταῦτα καὶ εἰ μὴ γίνουιτ' ἀπ' αὐτῶν ἡδονή. Cf. also 7, 13, 7 where it is argued that pleasure must be an ἀγαθόν because it is the concomitant of (morally) good acts.

1. *laudabilis*: ἐπαινετός: note on 3, 27.

medicorum: the comparison between medicine and philosophy frequently occurs in ancient texts, Epicurean and other. In Plato it is argued that the end pursued by these looks to something beyond themselves, see 3, 24 n. There is no reason to suppose (with Usener) that our passages are drawn from Plato, Rep. 341 c—342 e in which there is a discussion of *ιατρική* and *κυβερνητική*: the two passages are not strikingly similar. Cf. esp. Diog. L. 10, 138; Tusc. 3, 6; Epic. ap. Porphyry, ad Marcellam, p. 209, 23 Nauck: κενὸς ἐκείνου φιλοσόφου λόγος ὅψ' οὐ μὴδεν πάθος ἀνθρώπου θεραπεύεται. ὥσπερ γὰρ *ιατρικὴς* οὐδὲν δφέλος μὴ τὰς νόσους τῶν σωμάτων ἐκβαλοῦσης, οὕτως οὐδὲ *φιλοσοφίας* εἰ μὴ τὸ τῆς ψυχῆς ἐκβάλλει πάθος. So Democritus fragm. 80 *ιατρικὴ* μὲν γὰρ σώματος νοῦσον ἀκέεται, σοφίη δὲ ψυχὴν παθῶν ἀπαιρεῖται

(? *καθαίρεται*). The Stoics from their point of view denied the resemblance assumed here between *sapientia* and medicine and navigation; see note on 3, 24.

3. *habet*: 'brings with it'; 2, 9; Nägelsbach § 110.

utilitate: a strong abl. of cause, like § 36 *factis* non emolumento aliquo sed ipsius honestatis decore laudandis; 2, 83 si fructibus et emolumentis et utilitatibus amicitias colemus; Div. 1, 13 quorum...utilitate et ars et inventor probatus; Ov. Pont. 2, 3, 8 vulgus amicitias utilitate probat (Roby § 1228). Here as often elsewhere, *utilitas* (τὸ συμφέρον) and *voluptas* are treated as identical; so by Epicurus ap. Diog. L. 10, 120; cf. Usener, fr. 510 (p. 358).

4. *ars vivendi*: τέχνη τοῦ βίου or *peri tōn biōn*: a commonplace definition of philosophy in post-Aristotelian writers; see my note on Acad. 2, 23. Shakespeare seems to have this definition in view in Love's Labour's Lost, 1, 1, 13: 'our court shall be a little Academe | still and contemplative in living art' (see the context). But here and in § 46 *sapientia* is a rendering, not of *φιλοσοφία*, but of *φρόνησις*, which Epicurus made supreme among virtues: Diog. L. 10, 132 τούτων δὲ πάντων ἀρχὴ καὶ τὸ μέγιστον ἀγαθὸν φρόνησις. διὸ καὶ φιλοσοφίας τιμώτερον (? read *τιμωτάτον*) φρόνησις: Polystratos περὶ λόγον καταφρονήσεως (Gomperz in Hermes, xi, p. 405)...τὸν ἐκ τῆς ψυχῆς φόβον λύσαι καὶ τὴν ὑποψίαν, τοῦτο δ' εἶναι φρονήσεως ἔργον νομίζων...τὸ τὴν μάταιον ταραχὴν ἀφαιρεῖν. Epic. himself seems sometimes to have treated φρόνησις and φιλοσοφία as convertible terms; compare Plut. de Sto. Rep. c. 26, p. 1046 e *el* μὲν οὖν τὴν φρόνησιν ἡγεῖτο (Χρυσίππος) ποιητικὸν εἶναι τῆς εὐδαίμονίας τι ἀγαθόν, ὥσπερ δ' Ἐπίκουρος, with Sext. A.M. 11, 169 ἐπαγγέλλονται γὰρ τέχνην τινα περὶ τὸν βίον παραδῶσεν, καὶ διὰ τοῦτο Ἐπίκουρος μὲν ἔλεγε τὴν φιλοσοφίαν ἐνέργειαν εἶναι λόγοις καὶ διαλογισμοῖς τὸν εὐδαίμονα βίον περιποιῶσαν. So in § 44 *sapiens* is φρόνιμος, a word applied in all late systems more or less to the ideal philosopher. [Cf. the

non expeteretur, si nihil efficeret; nunc expetitur, quod est tamquam artifex conquirendae et comparandae voluptatis. (Quam autem ego dicam voluptatem iam videtis, ne invidia verbi labefactetur oratio mea.) Nam cum ignoratione rerum bonarum et malarum maxime hominum vita vexetur, ob eumque errorem et voluptatibus maximis saepe priventur et durissimis animi doloribus torqueantur, sapientia est adhibenda quae et terroribus cupiditatibusque detractis et omnium falsarum opinionum temeritate derepta certissimam se nobis ducem praebeat ad volup-

6 durissimis cod. Leidensis: *purissimis* AEP al.; *pravissimis* ed. Colon.; *gravissimis* Orelli. 7 terroribus: *erroribus* E.

Identification of σοφία with σωφροσύνη in Xen. Mem. 3, 9, 4.] Perhaps in his treatment of φρόνησις Epicurus followed the lead of Democritus, who in his Τριτογένεια assigned to it a wide sphere: 'τρία γίνεσθαι ἐξ αὐτῆς ἅ πάντα τὰ ἀνθρώπινα συνέχει, εὐλογίεσθαι, λέγειν καλῶς, ὀρθῶς πράττειν.' In an examination of the Epicurean view of the four cardinal virtues in Off. 3, 117 sq. φρόνησις is rendered by *prudentia* (cf. Ad Her. 3, 6). Cf. Off. 1, 153 where *sapientia* is indicated as a possible equivalent for both σοφία and φρόνησις: so Tusc. 5, 13 constantia, gravitas, fortitudo, sapientia reliquaeque virtutes; below, 2, 51.

1. nihil: i.e. nothing over and above its own presence.

tamquam artifex: a tentative rendering of ἀρχιτέκτων (§ 32) or δημιουργός. Cf. 2, 116.

3. ne: the slight ellipse is of a very common sort; cf. 2 §§ 20, 77; 4, 36.

invidia verbi: 2, 12 invidiosum nomen; Sull. 25 verbi invidiam; Planc. 75; Cat. 3, 3; Rep. 2, 52 odium regalis nominis.

4. ignoratione: Cicero avoided *ignorantia*, which the inferior mss. sometimes introduce, as in 3 § 72 and Acad. 1, 42, where see my note. It is to be noted that this ignorance is not to be ousted without the aid of φυσιολογία; see 1, 63 n.

6. durissimis: 'fateor, durum dolorem apud Ciceronem alibi non dici, et in hoc substantivo scriptores prosae orationis iis potius adiectivis uti, quae ab onere aut a tactu aut gustu imaginem traducant, cum hoc magis ad rigorem quemdam spectet, ut aliter *dura condicio* dicatur et servitus. Sed admodum propinqua haec sunt: et transierunt illum finem poetæ, quin ipse antiquus usus cotidianus, ut in *duro vino* apud

Catonem' (Madvig). The readings *purissimis* and *pravissimis* are impossible; if emendation were needed we should have to resort to *asperrimis* (§ 33) or *amarissimis* (§ 44) or *miserrimis* (2, 88); cf. *duros dolores* in poet. ap. Div. 1, 106.

7. est adhibenda: Madvig condemns the assertion of Beier and others that Cicero constantly omits *esse* with the gerundive. 'Non omittit, nisi in brevi sententia, initio periodi, cum rhetorica quadam gravitate.' This canon is probably too strict. [A large number of exx. occur in Varro, de re rust.] Madvig doubtless had in mind passages like 2, 41 nec vero audiendus Hieronymus etc., where see note. But sometimes the verb is left to be supplied from a neighbouring clause, as in Cato m. 35; Off. 1, 150; sometimes it is omitted in two parallel clauses, as Off. 3, 113 ut laudandus Regulus...sic decem illi...vituperandi; also in the middle of the 'periodus' when emphasis is intended, as Cato m. 29.

terroribus cupiditatibusque: but for the fact that *cupiditatibus* begins with a guttural, Cicero would probably have written *ac cup.* here; see my note on Acad. 2, 34. The reading *erroribus* is certainly wrong. *Terror* and *passion* are constantly linked together by the Epicureans as the two great torments of life; cf. 2 §§ 18-22; Epic. ap. Porphyry. ad Marc. 29, p. 208, Nauck (Us. § 485): ἡ γὰρ διὰ φόβον τις κακοδαίμονει ἡ διὰ κενὴν ἐπιθυμίαν· ἃ τις χαλινῶν δύναται τὸν μακάριον ἑαυτῷ περιποιῆσαι λογισμὸν.

8. opinionum: οἰήσεων: a word used in all later systems to denote an ill-grounded and unphilosophic persuasion. Epic. called οἴησις a ἱερὰ νόσος (Florilegium Monacense, 195). Cf. my note on Acad. 1, 42 and Timon ἀνθρώποι κενεῆς οἰήσιος ἔμπλεοι ἄσκολ.

9. derepta: Madvig qu. Sull. 2 quan-

tatem. Sapientia enim est una quae maestitiam pellat ex animis, quae nos exhorrescere metu non sinat; qua praeceptrice in tranquillitate vivi potest omnium cupiditatum ardore restincto. Cupiditates enim sunt insatiabiles, quae non modo singulos homines, sed universas familias evertunt, totam etiam labe-
 44 factant saepe rem publicam. Ex cupiditatibus odia discidia discordiae seditiones bella nascuntur, nec eae se foris solum iactant nec tantum in alios caeco impetu incurrunt, sed intus etiam in animis inclusae inter se dissident atque discordant, ex quo vitam amarissimam necesse est effici, ut sapiens solum amputata cir- 10

6 discidia: *dissidia* Orelli (non bene).

10 necesse est: *esse* (om. *necesse*) E.

tum de mea auctoritate deripisset; Prov. Cons. 13; Val. Max. 3, 2 E, 4 dereptam hostibus victoriam; Tac. An. 2, 45 tela Romanis derepta; but doubts Val. Max. 2, 9, 8 dereptis publicis equis for ademptis. Many similar things occur in the poets. Add Off. 3, 42; Quinct. 64.

1. *sapientia...est una*: cf. Lael. 86 una est enim amicitia de cuius utilitate, etc. Cf. Inscr. of Oinoanda, Heberdey and Kalinka, in Bull. de Corr. Hell. xxi, 403; τὸ δὲ ἡμῶν κατασκευαστικὸν τῆς μετ' εὐθυμίας χαρᾶς οὐ τὰ θέατρα καὶ μουσεῖα καὶ βαλανεῖα καὶ ἀλείμματα, ἀλλὰ...τὸ ἐπιζητούμενον ὑπὸ τῆς φύσεως τέλος· τί δ' ἐστὶ τοῦτο, ὅτι τε μήτε πλοῦτος αὐτὸ δύναται παρασχέιν μήτε δόξα πολιτικῇ μήτε βασιλείᾳ μήθ' ἀβροδίατος βίος καὶ τραπεζῶν πολυτέλειᾳ μήτ' ἀφροδισίων ἐγλελεγεμένων ἡδοναὶ μήτ' ἄλλο μηδὲν φιλοσοφία δὲ περιποιεῖ μόνῃ. With *quae pellat* here cf. § 47 *temperantia est enim quae...monet*.

enim est: Madvig asserts that with the collocation *est enim* the stress falls on the word that precedes, while with the other collocation (*enim est*) the stress falls on the words that follow. At the same time he allows that in matters of this kind it is hard to find a rule, and dangerous to follow uniformity in editing texts. Madvig's statement that collocations like *sapientia est enim*, etc. are commoner in Cicero than *sapientia enim est* seems correct. But when *enim est* takes the third place in the sentence and is preceded by some part of *sum*, the part is almost always *est* or *sunt* or *sit* or *sint*, rarely *fut.* or a past tense.

2. *qua praeceptrice...potest*: 'paulo durius hoc propter adiectum *praeceptrice* seorsum extulit: expectabatur *possit*' (Madvig). In separate relative clauses, there is considerable caprice in the choice between indic. and subj.; cf.

e.g. § 47 *temperantia est enim quae monet*, with § 54 *voluptas est sola quae nos vocet...*

praeceptrice: quoted only besides from Vitruvius 10, 1, 4 natura p.

3. *tranquillitate*: γαλήνη, γαλήνιζεν (so ἡσυχία, etc.) occur in Epicurean texts. Epicurus placed human life in *tranquillo* (Lucret. 5, 12). Lucil. fragm. 430 Baehr., 'quodque te in tranquillum ex saevis transfert tempestatibus,' may be an Epicurean echo. Cf. λύεται πᾶς ὁ χειμῶν: and Epic. ap. Porphyry. ad Marcellam, 31, p. 209, 21 (Usener, p. 296): ἔρωτι φιλοσοφίας ἀληθινῆς πᾶσα παραχώδης καὶ ἐπιπόνος ἐπιθυμία ἐκλύεται. Usener says of the first three words that they are hardly Epicurean; but φιλοσοφία ἀληθινή is certainly an Epicurean expression, occurring in Polystratos (Gomperz in Hermes, xi, 409) and represented often in Lucret. by *vera ratio* as below, § 52. Lucretius says much that is similar of *vera ratio*.

ardore restincto: the passionate are compared to πυρέττοντες in an Epicurean fragment (Usener, § 471).

6. *discidia*: in an excursus to this passage Madvig shows that *dissidium*, often given by mss., is a 'vox nihili.'

7. *nec eae se, etc.*: cf. § 58 *animus a se ipse dissidens secumque discordans*. The verb *discordare* was archaic, and was revived (in these two passages only) by Cicero, who was followed in its use by Horace and later writers. A great deal of the language about internal discord of mind is common to Stoics and Epic.; cf. e.g. Sen. dial. 7, 8, 5, 6, which might be adopted by Epic.; also Sen. de ben. 1, 10, 3.

8. *incurrunt*: figure from beasts; Sen. dial. 3, 3, 4.

10. *sapiens solum*: Davies and others write *solus* quite unnecessarily; cf. Otto's

cumcisaque inanitate omni et errore naturae finibus contentus sine aegritudine possit et sine metu vivere. Quae est enim aut 45 utilior aut ad bene vivendum aptior partitio quam illa, qua est usus Epicurus? qui unum genus posuit earum cupiditatum quae 5 essent et naturales et necessariae, alterum, quae naturales essent nec tamen necessariae, tertium, quae nec naturales nec necessariae. Quarum ea ratio est ut necessariae nec opera multa nec impensa expleantur; ne naturales quidem multa desiderant, propterea quod ipsa natura divitias, quibus contenta sit, et

3 qua est usus: *que e usu* A¹.

note: 'monendum solum ad rationem non ad personam referri. Sensus est; nulla ratione nisi sapientia sine aegritudine vivi posse: *sapiens solus* significaret *nemo nisi sapiens*.' Below, 4, 36 Stoicos solum; 2, 17 rhetorum s.

amputata circumcisaque: these verbs are often combined, as in 5, 39; *Aead.* 2, 138; in my note on the latter passage will be found illustrations, to which add Tac. dial. 32 (eloquentia) circumcisa et amputata; Plin. ep. 1, 20, 19 amputata oratio et absvisa. In Mar. Vict. p. 24, l. 20 (ed. Stangl) circumcisa et ablata notarum rerum cognitione, we should probably read c. et amputata (ἀπ'τata). Aug. ep. 118, 4 puns on the original meaning of *putare*; non esse...sed putari. atego te admoneo eum, qui talium putatorum linguis tanquam falcebus concidi timet, lignum aridum esse.

1. **inanitate**: note on § 45 inanium.

errore...metu: cf. *errore...terrore* in § 46.

naturae finibus: so of the repression of the passions, Ad Her. 3, 5 si unam quamque rem certae naturae termino definemus.

3. **partitio**: the 29th *κυρία δόξα* is: τῶν ἐπιθυμιῶν αἱ μὲν εἰσι φυσικαὶ < καὶ ἀναγκαῖαι > αἱ δὲ φυσικαὶ > καὶ οὐκ ἀναγκαῖαι αἱ δὲ οὐτε φυσικαὶ οὐτε ἀναγκαῖαι ἀλλὰ παρὰ κενὴν δόξαν γινόμεναι. The words in brackets are absent from Diog. L. and were supplied by H. Stephanus from Cicero, particularly 2, 26; cf. Tusc. 5, 93 sq.; see Nemesius and Olympiod. referred to in Us. p. 397. The Latin here agrees better with a slightly different version of the δόξα given in the Vatican Gnomologion... 'αἱ δὲ φυσικαὶ μὲν οὐκ ἀναγκαῖαι δέ' (see Usener in Wiener Stud. 10, 179); so also in a scholion on Arist. Eth. Nic. (Us. § 456); and Plut. Gryllus, p. 989b (ibid.). The division of ἐπιθυμίαι into ἀναγκαῖαι

and οὐκ ἀναγκαῖαι repeatedly occurs in Plat. Rep. viii, ix. Varro in a difficult fragment of the Menippean Satires (316 Bücheler) alludes to this 'partitio': asse vinum, asse pulmentarium: secundas quo natura aurigatur non necessitudo.' The passage is twice quoted by Nonius, pp. 70, 353 M. L. Müller reads *quor* for *quo* with Mercer., understanding *mensas* with *secundas*, and remarking 'hominis divitis eiusdemque sobrii mores describi apparet.' Riese remarks on *necessitudo* 'sc. restringit, non luxuries effrenat.' But *secundas* is obviously corrupt, and the first syllable conceals *asse*, the other two *ludus* in the sense of *venus*. Martial had the passage of Varro in mind when he wrote (1, 103, ll. 9, 10): 'et Veientani bibitur faex crassa rubelli: asse cicer tepidum constat et asse venus.' For *ludus* see note on 2, 23, and for *asse* in this connexion Lucil. 5, 30 (ed. L. Müller). In Martial *cicer tepidum* may well represent *pulmentarium*; see Marq.-Momms. 7, p. 298 n.; for the word cf. Hor. s. 2, 2, 20; Lucil. 20, 3. The Menippean satires, like those of Lucilius and Horace, are full of allusions to Epicureanism.

7. **quorum**: it is possible that *quorum*=*generum* should be read.

8. **ne naturales quidem**: *naturales* is briefly put for *n. nec tamen necessariae*, just as above *necessariae* stands for *et naturales et n.*; there is no need to suppose (with Usener) that words have been lost from the text. Lower down, *inanium* replaces *nec naturalium nec necessariarum*. For the abandonment of the *ut*-construction here cf. 2, 16 and 4, 4 and Madvig's first Excursus, p. 798 (ed. 3); above, note on 1, 23.

9. **ipsa natura**, etc.: Epic. *κῡρ.* δ. 15 ὁ τῆς φύσεως πλοῦτος καὶ ὥρισται καὶ εὐπόριστός ἐστιν· ὁ δὲ τῶν κενῶν δοξῶν

- parabilis et terminatas habet; inanium autem cupiditatum nec
 46 modus ullus nec finis inveniri potest. XIV. Quod si vitam omnem
 perturbari videmus errore et inscientia, sapientiamque esse
 solam quae nos a libidinum impetu et a formidinum terrore
 vindicet et ipsius fortunae modice ferre doceat iniurias et omnis 5
 monstret vias, quae ad quietem et tranquillitatem ferant, quid
 est cur dubitemus dicere et sapientiam propter voluptates ex-
 petendam et insipientiam propter molestias esse fugiendam?
 47 Eademque ratione ne temperantiam quidem propter se ex-
 petendam esse dicemus, sed quia pacem animis afferat et eos 10
 quasi concordia quadam placet ac leniat. Temperantia est enim,
 quae in rebus aut expetendis aut fugiendis ut rationem sequamur
 monet. Nec enim satis est iudicare quid faciendum non facien-

3 inscientia: *inscitia* ed. Colon.
 nulli.

6 monstret: *doceat* P et ed. Rom.; om. non

els ἀπειρον ἐκπίπτει; and ap. Diog. L. 10, 130 τὸ μὲν φυσικὸν πᾶν εὐπόριστόν ἐστι, τὸ δὲ κενὸν δυσπόριστον; also κυρ. δ. 21 ὁ τὰ πέρατα τοῦ βίου κατειδὼς οἶδεν ὥς εὐποριστόν ἐστι τὸ τὸ ἀλγοῦν καὶ ἔνδειαν ἐξαιροῦν καὶ τὸ τὸν ὅλον βίον παντελῇ καθιστάν, below, 2, 90 and 91; very many writers report and harp upon this saying of Epicurus. See references in Usener, p. 396; and in a note by Mayor on Juv. 14, 319. Democritus inculcated the same lesson; fragm. 22 M. τῶν τὸ σκῆνος ('earthly tabernacle') χρῆζει, πᾶσι παρέσσι εὐμαρέως ἀτερ μόχθου καὶ ταλαιπωρίας, ὅκσα δὲ μόχθου καὶ ταλαιπωρίας χρῆζει καὶ βίον ἀλγύνει, τούτων οὐκ ἱμείρεται τὸ σκῆνος, ἄλλ' ἢ τῆς γνώμης κακοφυίῃ; id. fr. 24 συγκρῇ ὀρεῖς πενίην ἰσοσθενέα πλούτῳ ποιεῖ; cf. too Theognis 719 sq. ed. Bergk. Petronius (fragm. xxxv Büch.) has a poem on the theme ending 'quod satiare potest dives natura ministrat; quod docet infrenis gloria, fine caret.' So Lucil. fragm. 150 Baehr.

1. *parabilis*: the ordinary rendering of *εὐπόριστος* as in 2, 90, 91; Sen. ep. 4, 10.

inanium: cf. vana Sen. ep. 16, 9.

cupiditatum modus: on the gen. see n. on § 3, and for the words *modus*, *finis* note on § 62.

3. *errore et inscientia*: Polystratos *περὶ ἀλογ. καταφρ.* (Gomperz in Hermes xi, 409): πάσης ἀγνοίας καὶ ἀπάτης καὶ ψευδοδοξίας ἀπολυθείσης, ὅπερ ἦν τέλος τοῦ ἀρίστου βίου. On the reading *inscitia* Madvig remarks 'facultati aliquid recte et ordine, hoc est scite agendi contraria est (ut *inscitia loquendi negotii gerendi*)

non cognitioni et intellegentiae.' But his rule is too tightly drawn; cf. 2, 34 summae videtur inscitiae, of a philosophic doctrine. In De Inv. 1, 2 *error* and *inscientia* are joined.

4. *libidinum*: hitherto *cupiditatum* for *ἐπιθυμιῶν*.

5. *ipsius fortunae*: *even* of fortune. Cf. 1, 63 n.

8. *molestias*: §§ 51, 59.

10. *animis*: 'the mind'; in this general or abstract sense the plural is far commoner than the singular; see my note on Acad. 1, 20 ingeniis ('genius'); to the exx. given there add De Or. 1, 115; Fam. 4, 8, 2.

11. *quasi concordia quadam*: the words *quasi...quadam* indicate a rendering of some particular Greek word, *ὁμονοία* or *ἁρμονία*. See my n. on Acad. 1, 17.

placet ac leniat: the two verbs are joined thus in Phil. 7, 25.

12. *aut exp. aut fug.*: *et...et* might have been expected.

13. *monet*: the succeeding words show that perpetual or repeated admonition is meant. Only the perfect *σοφός* is unwavering in practice; cf. Plut. Colot. 19, p. 1117 f ἔν γάρ ἐστι τῶν Ἐπικούρου δογμάτων τὸ μηδὲν ἀμεταπελίστως πεπεισθαι μηδένα πλὴν τὸν σοφόν.

satis est: in the philosophical writings there are six exx. of *sat*, all before *est*, *erat*, *esse*; in the speeches two, one in a quotation, the other in the phrase *sat bonus* (S. Rosc. 89; cf. Att. 14, 10, 1). See Neue-Wag. 11³, 595 f. On *sat bonus* see Landgr. p. 299 on S. Rosc. 1.c.

dumve sit, sed stare etiam oportet in eo quod sit iudicatum. Plerique autem, quod tenere atque servare id quod ipsi statuerunt non possunt, victi et debilitati obiecta specie voluptatis tradunt se libidinibus constringendos nec quid eventurum sit provident
 5 ob eamque causam propter voluptatem et parvam et non necessariam, et quae vel aliter pararetur, et qua etiam carere possent sine dolore, tum in morbos gravis, tum in damna, tum in dedecora incurrunt, saepe etiam legum iudiciorumque poenis obligantur. Qui autem ita frui volunt voluptatibus ut nulli
 10 propter eas consequantur dolores, et qui suum iudicium retinent, ne voluptate victi faciant id quod sentiant non esse faciendum, ei voluptatem maximam adipiscuntur praetermittenda voluptate. Idem etiam dolorem saepe perpetiuntur ne, si id non faciant, incidant in maiorem. Ex quo intellegitur nec intemperantiam
 15 propter se esse fugiendam temperantiamque expetendam, non quia voluptates fugiat, sed quia maiores consequatur.

XV. Eadem fortitudinis ratio reperietur. Nam neque laborum
 49 perfunctio neque perpersio dolorum per se ipsa allicit nec patientia nec assiduitas nec vigiliae nec ipsa quae laudatur in-

4 eventurum: *proventurum* dett. (etiam P). 9 nulli: *nullos* E. 10 dolores: om. E. 19 assiduitas: *assiduitates* AP; cf. *dictatas* (§ 7). 19 nec ipsa BE: *ea ipsa* (om. nec) A; nec *ea ipsa* codd. dett. vulgo.

iudicare...stare: cf. § 55 stabili; and 2, 9.

non faciendumve: so De Inv. 1, 36 and 2, 31 aliquid faciendi non faciendive; below, 2, 38 non dolendive.

1. sit iudicatum: see C. F. W. Müller.

3. victi et debilitati: 5, 42 victi debilitantur; and below § 49 debilitatem.

obiecta specie: Hor. ep. 1, 6, 11 improvisa species. For the context cf. § 33.

4. constringendos: cf. 2, 62: the Vatican Gnomologion (see Wiener Stud. 10, 195) shows that Metrodorus used the expression ἐκδότους ἑαυτοὺς παρέχειν in a context like this. Possibly Cicero either found ἐκδέτους in a similar passage or mistook ἐκδότους for it. Seneca repeatedly defended Epicurus on this head: cf. dial. 7, 12, 4 (Epicuri) voluptas sobria et sicca.

quid eventurum sit: Gnom. Vatic. § 71 πρὸς πάσας τὰς ἐπιθυμίας προσακτέον τὸ ἐρώτημα τοῦτο· τί μοι γενήσεται ἀν τελεσθῇ τὸ κατὰ τὴν ἐπιθυμίαν ἐπιζητούμενον, καὶ τί ἐὰν μὴ τελεσθῇ;

8. saepe etiam: the triple *tum* followed by *saepe etiam* is well illustrated by Wölfflin, Archiv 2, p. 252, 3.

10. suum iudicium retinent: as above, tenere atque servare id quod ipsi statuerunt.

12. praetermittenda v.: n. on § 33.

14. nec...que: so 3 § 3 and often.

18. perfunctio: a rare word, which, but for De Or. 3, 7, is only found here and in late Latin.

19. patientia: 'endurance'; cf. Sen. ep. 67, 10 fortitudo, cuius patientia et perpersio et tolerantia rami sunt.

ipsa...industria: for *ipsa* see 1, 13 n. Madvig: '*ipsa, quae laudatur* ideo dicitur quod haec tamquam propria quaedam virtus laudari in hominibus solet, non vigiliae quae in hominibus non sunt, nec assiduitas quae in certis actionibus spectatur non in toto ingenio.' But *patientia* (which Madvig neglects) is certainly 'propria quaedam virtus.' Rather Cicero means that *industria*, 'energy,' is more specially a subject of eulogy than the rest. Yet it is surprising that the words *ipsa quae laudatur* should be attached to *industria* rather than to *fortitudo*; perhaps they have been displaced in our mss. and should come after *quidem*.

dustria, ne fortitudo quidem, sed ista sequimur ut sine cura metuque vivamus animumque et corpus, quantum efficere possimus, molestia liberemus. Vt enim mortis metu omnis quietae vitae status perturbatur, et ut succumbere doloribus eosque humili animo imbecilloque ferre miserum est, ob eamque 5 debilitatem animi multi parentes, multi amicos, non nulli patriam, plerique autem se ipsos penitus perdiderunt, sic robustus animus et excelsus omni est liber cura et angore, cum et mortem contemnit, qua qui affecti sunt in eadem causa sunt qua ante quam nati, et ad dolores ita paratus est ut meminerit maximos 10

4 et ut: et om. A.

9 qua qui: qua quia A¹E.

1. fortitudo: here contrasted with *patientia*, etc., as specially connected with *danger*. According to Epicurus, ἀνδρεία does not exist φύσει, λογισμῷ δὲ τοῦ συμφέροντος (Diog. L. 10, 120). In connexion with courage, as in other connexions, pain must be endured to avoid greater pain; Orig. contra Celsum, v, 47, p. 270 Hoesch. οὐτω δὲ καὶ ἄλλη μὲν ἢ Ἐπικούρου ἀνδρεία ὑπομένουτος πόνους διὰ φυγὴν πόνων πλεονών, ἄλλη δὲ ἡ τοῦ ἀπὸ τῆς στοᾶς δι' αὐτὴν αἰρουμένου πᾶσαν ἀρετὴν. Cf. Ad Herenn. 3, 3; 4, 35. In the Hercul. Fragm. there are remains of a treatise περὶ φοβερῶν (No. 57).

4. perturbatur: cf. Gnom. Vat. § 57 ὁ βλος αὐτοῦ πᾶς δι' ἀπιστίαν συγχυθήσεται καὶ ἀνακεχατισμένος ἔσται.

6. parentes...patriam: Lucr. 3, 83sq. hunc vexare pudorem, hunc vincula amicitiai | rumpere et in summa pietatem emictere suadet; | nam iam saepe homines patriam carosque parentes | prodiderunt vitare Acherusia templa petentes; and Sen. ep. 70, 8 stultitia est timore mortis mori. Possibly *perdiderunt* in Cicero is an error for *prodiderunt*.

7. rob. animus: so Off. 1, 67; r. fortitudo, Tusc. 4, 51.

8. cum...contemnit: n. on § 10.

mortem: n. on § 40.

9. in eadem causa: this use of *causa*, meaning 'circumstances,' is not uncommon. The words in *ead. c.* occur in Caec. 38 and Off. 1, 112 (but in the latter passage only in inferior mss.); Caes. B.G. 4, 4, 1; Sen. d. 4, 19, 5.

qua ante quam nati: for the omission of *in* see n. on § 32; for the doctrine in the context cf. Eur. Tro. 636 κελὴν δ' ὁμοίως ὥσπερ οὐκ ἰδοῦσα φῶς | τέθνηκε κοῦδὲν οἶδε τῶν αὐτῆς κακῶν; Lucret. 3, 866 sq. and passages from Sen. ep. 22, 15 nemo, inquit (sc. Epi-

curus), aliter quam qui modo (*quo modo* mss., corr. Wolters) natus est, exit e vita; but Sen. sometimes treats death as the beginning of a new life for which our mortal life is a preparation; see Sen. ep. 102, 23, and cf. the well-known passage in Cicero's letters; Sen. ep. 54 §§ 4, 5. Axiochus, p. 365 D *ἐλς παντελή μεταβαλὼν ἀναισθησιαν καὶ τὴν αὐτὴν τῇ πρὸ τῆς γενέσεως*: pseud.-Plut. cons. ad Apollonium, p. 109 f ἡ γὰρ αὐτὴ κατὰ στασις ἔστι τῇ πρὸ τῆς γενέσεως ἡ μετὰ τὴν τελευτὴν. Schopenhauer, Die Welt als Wille, II, c. 41 and I, l. iv argues exactly as Epicurus that the nothingness which death brings concerns us no more than the nothingness which preceded our life. On which Guyau remarks 'on se console aisément de n'avoir pas toujours possédé un bien, on se console plus difficilement d'être condamné à le perdre.' Democritus handled the topic of death much in the fashion of Epicurus: see fragm. 53-5, 119 (Mullach); the Epicurean view is picturesquely given in ep. 54. Stoics differed. See interesting passages in Sen. ep. 57, 7; 77, 11, 12.

10. ita paratus est, etc.: Sen. ep. 30, 14 gives account of a friend who applied practically these precepts.

maximos morte finire: The native Italian was averse to suicide: this is strongly shown by the fact that the collegia tenuiorum regard all suicides as infames: see Waltzing les corp. professionnelles, I, p. 267 sq., where it is pointed out that Roman lawyers recognized suicide as justifiable in some cases. The Stoic view of the worthlessness of life induced suicide: Sen. d. 1, 6, 6 contemnente dolorem: aut solvetur aut solvet. Epicurus ap. Plut. de aud. poet. p. 36 b οἱ μεγάλοι πόνοι συντόμως

morte finire, parvos multa habere intervalla requietis, medicorum nos esse dominos, ut, si tolerabiles sint, feramus, si minus, animo aequo e vita, cum ea non placeat, tamquam e theatro exeamus. Quibus rebus intellegitur nec timiditatem ignaviamque vituperari nec fortitudinem patientiamque laudari suo nomine, sed illas reici quia dolorem pariant, has optari quia voluptatem.

XVI. Iustitia restat, ut de omni virtute sit dictum; sed similia fere dici possunt. Vt enim sapientiam temperantiam fortitudinem copulatas esse docui cum voluptate, ut ab ea nullo

1 mediocrium: *medicorum* E. 2 si minus: ita codd. (etiam P); *sin minus* Orelli.

ἐξάγουσιν, οἱ δὲ χρόνιοι μέγεθος οὐκ ἔχουσιν, and id. non posse suaviter vivi, p. 1103 e ὁ γὰρ πόνος ὁ ὑπερβάλλον συνάψει θανάτῳ: see also passages quoted in n. on § 40 (mors). Plutarch in the former passage quotes a line of Aeschylus: 'θάσσει· πόνου γὰρ ἄκρον οὐκ ἔχει χρόνον.' Also Marc. Aurel. 7, 33 περὶ πόνου· τὸ μὲν ἀφόρητον ἐξάγει· τὸ δὲ χρόνιον, φορητόν; id. 7, 64.

1. intervalla: so Sen. ep. 78, 7 magnos cruciatus habet morbus; sed hos tolerabiles intervalla faciunt, nam summi doloris intentio invenit finem; below, 2, 94 n.

2. ut, si tol...exeamus: cf. Tusc. 5, 117 sin forte longinquitate producti (dolores) vehementius tamen torquent quam ut causa sit cur ferantur, quid est tandem, di boni, cur laboremus? Portus quidem praesto est, aeternum nihil sentiendi receptaculum; ib. 118 mihi quidem in vita servanda videtur illa lex, quae in Graecorum conviviis obtinetur: 'Aut bibat,' inquit, 'aut abeat'...Sic iniurias fortunae, quas ferre nequeas, defugiendo relinquo. Haec eadem, quae Epicurus, totidem verbis dicit Hieronymus. Also Epic. ap. Sen. ep. 12, 10 malum est in necessitate vivere, sed in necessitate vivere nulla necessitas est; Wotke-Usener, § 9 κακὸν ἀνάγκη ἀλλὰ οὐδεμία ἀνάγκη ζῆν μετ' ἀνάγκης. For the Stoic doctrine of suicide see 3, 61 n. The Epicureans were more cautious in their treatment of the subject than the Stoics: cf. Epic. ap. Sen. ep. 24, 22 ridiculum est currere ad mortem taedio vitae, cum genere vitae, ut currendum ad mortem esset, efficeris. In the case of many, the very fear of death leads to irrational suicides, Lucr. 3, 79-82; Sen. ep. 70, 8 stultitia est timore mortis mori (cf. Lucr.); ib. 24, 23; ps.-Plut. ad Apollon. p. 110 a. See also Usener,

p. 310, n. 1. Sen. dial. 7, 19, 1 refers to a case of an Epicurean philosopher who committed suicide and was condemned by his fellow-disciples for having acted contrary to the spirit of his master. [See also § 62 migrare de vita.] Cf. the story in Sen. 77, 5 ff. which is from a Stoic source.

3. animo aequo: (in re simili) Lucr. 3, 939 and 962.

theatro: the comparison of life with the theatre has been common at all times. Sometimes the human being is treated as spectator, sometimes as actor. Philodemus, Us. p. 269 n.; below 3, 67. Cf. a fragment of Democritus (249 M.) adapted by Caesar in his 'veni, vidi, vici': ὁ κόσμος σκηνή· ὁ βίος πάροδος· ἡλθες, εἶδες, ἀπῆλθες: Cicero, Cato m. §§ 5, 64, 70, 85; Sen. ep. 80 §§ 7-10 (vitae mimus). The celebrated question addressed by Augustus on his deathbed, to the bystanders, 'ecquid eis videretur mimum vitae commode transigisse?' has often been misunderstood. The emperor was not jesting at life as Dio Cass. 56, 30 supposed. The *mimus* came commonly at the end of a series of performances; the question therefore meant 'have I acquitted myself creditably in the closing scene?' The comparison of life with a banquet is equally common; so in Tusc. 5, 117 quoted above, in Lucr. 3, 935-43, and in other passages to which reference is made by Usener, p. 310, n. on l. 19; and by Munro on Lucr. l. l.; cf. Sen. ep. 26, 5.

7. iustitia: Diog. L. 10, 28 mentions a work of Epic. 'περὶ δικαιοσύνης καὶ τῶν ἄλλων ἀρετῶν' and another 'περὶ δικαιοπραγίας.' As to the former see Usener, p. 92. There was doubtless much Epicurean literature relating to the ἀρεταί, as well as the κακταί (n. on § 61).

restat, ut, etc.: there is ellipse of

modo nec divelli nec distrahi possint, sic de iustitia iudicandum est, quae non modo numquam nocet cuiquam, sed contra semper *impertit* aliquid cum sua vi atque natura, quod tranquillet animos, tum spe nihil earum rerum defuturum quas natura non depravata desideret. *Et* quem ad modum temeritas et libido et ignavia semper animum excruciant et semper sollicitant turbulentaque sunt, sic *improbilas* si cuius in mente consedit, hoc ipso, quod adest, turbulenta est; si vero molita quippiam est, quamvis occulte fecerit, numquam tamen id confidet fore semper occultum. Plerumque improborum facta primo suspicio in- 10

3 aliquid: *alut...quid* P; cum lacuna inter *alut* et *quid*; quam lacunam indicant codd. meliores; *allicit* Rath et Orelli; *impertit aliquid* C. F. W. Müller; *affert aliquid* Th. Bentley; item Iwan Müller (Erlangen progr. 1869) et Baiter; cf. § 43. 4 non: om. P. 5 et: om. omnes; addidit Lambinus. 7 improbitas si: om. omnes, add. Madv. (cf. § 53); *impietas si* Manutius et Gruter. 8 est; si: *et si* AE. corr. Gruter.

words such as *quae tractanda est*; cf. Div. 2, 49 and 84.

1. *nec divelli nec distrahi*: 'repetita particula oratorie unam notionem dissolvit in duas' (Madvig).

3. *tranquillet*: cf. Epicurus ap. Cl. Alex. Strom. VI, 2, p. 266, 39 δικαιοσύνης καρπὸς μέγιστος ἀταραξία; κυρ. δόξ. 17 ὁ δίκαιος ἀταρακτότατος ὁ δὲ ἀδίκος πλείστης ταραχῆς γέμων. Cf. Dem. fr. 111 δίκης κύδος γνώμης θάρσος καὶ ἀταμβλή, ἀδικίης δὲ δέσμα συμφορῆς τέρμα. But some of Democritus' sentences about justice have a different ring; see esp. fragm. 117. Usener (§ 518) quotes Augustin. serm. 348 Epicurei...iustitiam venalem habent carnalis pretio voluptatis. Cf. also Hor. s. 1, 3, 98 utilitas iusti prope mater et aequi; and Cic. Off. 3, 117.

4. *spe*, etc.: the argument is not easy to follow. How does justice inspire a hope that the necessities of life will never be wanting to its possessor? If Cicero has not here by compression misrepresented some Epicurean text, the sense must be that the right-minded man knows how little is needed.

nihil earum rerum: not *nullam*; cf. Du M. on Flacc. 32.

natura non d.: n. on § 30.

7. *improbilas* si: the correction of Madvig is rendered certain by the parallel passage in § 53. The loss of the words *improbilas* si was doubtless caused by the similarity of *sic* and *si* before *cuius*.

8. *molita...fecerit*: conception and execution are contrasted.

9. *quamvis*, etc.: in the κυρ. δόξαι 31-9, Epicurus states his view of justice.

It rests on expediency (τὸ συμφέρον), leading to a covenant among men not to injure one another. It is nothing by itself (οὐκ ἦν τι καθ' ἑαυτὸ δικαιοσύνη) but rests on a social compact. Injustice also is nothing by itself, ἀλλ' εἰ μὴ λήσῃ τοὺς ὑπὲρ τῶν τοιοῦτων ἐφεστηκότες κολαστάς. No man who contravenes the compact can feel secure: οὐκ ἔστι τὸν λάθρα τι κινεῖντα ὧν συνέθεντο πρὸς ἀλλήλους εἰς τὸ μὴ βλάπτειν μηδὲ βλάπτεσθαι πιστεύειν ὅτι λήσῃ, κὰν μυριάκις ἐπὶ τοῦ παρόντος λανθάνῃ. μέχρι γὰρ καταστροφῆς ἀδὴλον εἰ καὶ λήσῃ. Justice is not necessarily the same all the world over; in other words, although in a certain sense there is a φύσεως δίκαιον (31), the φύσει δίκαιον of Plato and Aristotle does not exist. These views of course are by no means peculiar to Epicurus; they were shared by Aristippus, many of the sophists, Carneades and others. See the references in the notes of Usener to these κυρ. δόξαι. The doctrine of Epicurus is reported by many writers; Lucret. 5, 1152-7 agrees to some extent verbally with Cicero, especially in the line 'perpetuo tamen id fore clam diffidere debet.' See also Usener, §§ 530-4; especially Plut. non posse, etc. c. 6; add Gnomol. Vat. 7 ἀδικοῦντα λαθεῖν μὲν δύσκολον, πιστὸν δὲ λαβεῖν ὑπὲρ τοῦ λαθεῖν ἀδύνατον; ib. § 70 μηδὲν σοι ἐν βίῳ πραχθεῖν ὃ φόβον παρέξει σοι εἰ γνωθήσεται τῷ πλησίον. Petron. § 125.

10. *primo...dein*: this form of expression indicates usually succession of two events in *time*, as here; while

sequitur, dein sermo atque fama, tum accusator, tum index; multi etiam, ut *te* consule, ipsi se indicaverunt. Quod si qui satis sibi contra hominum conscientiam saepti esse et muniti videntur, deorum tamen horrent easque ipsas sollicitudines quibus eorum animi noctesque diesque exeduntur, a dis immortalibus supplicii causa importari putant. Quae autem tanta ex improbis factis ad minuendas vitae molestias accessio potest fieri, quanta ad augendas, cum conscientia factorum, tum poena legum odioque civium? Et tamen in quibusdam neque pecuniae modus est neque honoris neque imperi nec libidinum nec epularum nec reliquarum cupiditatum, quas nulla praeda umquam improbe parta minuit potiusque inflamat, ut coercendi magis quam

1 dein: *deinde* P.

1 index: ita A; *index* B Madv.

2 si qui satis:

sequi (om. *satis*) E.

5 a dis: *ad his* A¹; a *diis* A²P.

8 odioque: *odique* A¹.

11 improbe: om. E.

12 potiusque Madvigius: om. *que* AE; *potius atque* P et

ed. Rom. et Orelli; *sed auget potius atque* dett. unde *sed potius* Baiter.

primum...deinde conveys succession as a matter of arrangement.

1. *tum accusator, tum index*: Madvig prefers *index*, because the *indicium* precedes the *accusatio*; Müller *index* because 'ascendi videtur quasi gradibus a levi suspicione usque ad certum testimonium indicis, qui ipse pro teste est.' Cf. Liv. 7, 39, 5 iam quaestiones, iam indicia.

2. *quod si...tamen*: so 2, 79; 4, 27 and often elsewhere.

3. *saepti et muniti*: these words often thus go together, as in Tusc. 5, 41; Verr. 2, 5, 39; Sest. 95. I would read *muniti* for *magni* in Att. 14, 5, 2 orbis terrae custodes non modo saepti verum etiam magni esse debebant.

5. *noctesque diesque*: this form is common in Cicero, also *noctes et dies* and *et noctes et dies*, *dies noctesque*, *noctes atque dies* (rarely), *diem noctem* or *diem ac noctem* (in a very few passages). The notion that Cicero, in a serious passage like this, quoted a little tag such as *noctesque diesque* from a line of Ennius to which he refers in Cato m. 1, seems to me most improbable; particularly as Cicero himself, in translating a line of Aratus, uses the phrase (N.D. 2, 104).

exeduntur: cf. Σέξτου γνώμαι 4 ap. Mullach, II, p. 116 ὥσπερ δὲ σκώληξ ἀναλίσκει τὸ ξύλον ὅπου εἰσέρχεται, οὕτω καὶ ἡ ἀμαρτία μένουσα ἐν τῷ ποιήσαντι αὐτήν.

6. *importari*: this verb when employed in a secondary sense is nearly always connected with things evil.

ad minuendas...accessio: 'paulo minus proprie dixit, ut concinne diceret:

quanta ad augendas' (Madvig). Havet, Rev. XXIII, 118, takes other objections; some very flimsy: (1) la phrase semble terminée à potest fieri...le quanta qui arrive inopinément dérouté le lecteur; (2) he strongly objects to the additional explanatory clause 'cum' and ends by supposing a gap after *molestias* and transferring *accessio potest fieri* to the end.

8. *poena legum*: parallel to *legis beneficium, praemium*; see my n. on Acad. 2, 1.

9. *pecuniae...cupiditatum*: 'non prorsus accurate coniunxit cupiditates et ea quae cupiuntur' (Madvig). Just as here *pecunia* is put for *pecuniae cupiditas*, so below, 72 se in musicis, geometria, numeris, astris contereret, *astris* stands for *astrorum scientia*. And *gloria* stands often for *gloriae studium* (as Arch. 26). The subject of *φιλαργυρία* was largely treated by Philodemus *περὶ κακιῶν* (Scott, p. 72), and appears in other fragments (ib. p. 50). Epicurus himself wrote *περὶ πλούτου*, and there are remnants of a work by Philodemus with the same title (Us. p. 108).

10. *neque honoris*, etc.: it is curious to find triple *neque* followed by triple *nec*. Here only does Torquatus touch on the evils of political and military ambition which Epicureans generally denounce with vigour. Cf. what Timon says of Pyrrho.

12. *potiusque*: this form and *et p.* and *ac p.* are all used by Cicero after negatives; but not *atque p.*; though *atque* sometimes is in the same clause, followed by a vowel.

coercendi, etc.: 2, 30 quae oratio

52 dedocendi esse videantur. Invitat igitur vera ratio bene sanos ad iustitiam, aequitatem, fidem. Neque homini infanti aut impotenti iniuste facta conducunt, qui nec facile efficere possit quod conetur, nec obtinere, si effecerit, et opes vel fortunae vel ingeni liberalitati magis conveniunt, qua qui utuntur, benivolent-

1 dedocendi: *docendi* E. 2 neque homini...conveniunt: Usenero haec videntur a scribis in alienum locum translata esse. 4 fortunae: *fortuna* E. 5 ingeni edd.: *ingenia* AEP.

non a philosopho aliquo, sed a censore opprimenda est; Off. 3, 73 qui non verbis sunt et disputatione philosophorum, sed vinculis et carcere dedocendi.

1. bene: § 71.

2. *aequitatem, fidem*: here first mentioned. Compare as regards this section De Or. 2, 342 ut opes et copiae non superbiae videantur ac libidini, sed bonitati et moderationi facultatem et materiam dedisse.

neque homini...conveniunt: I cannot agree with Usener in thinking these words out of place. They supply additional reasons for practising justice. Eloquence and wealth are needed to protect a man from the consequences of injustice; but if a man has these, he can make a better use of them. On eloquence as an aid to injustice cf. Plato, Gorg. p. 454 sq.; on wealth as a protection against the consequences of wrong see 2, 84.

infanti: = *non eloquenti*: a common enough sense, though scholars have often failed to understand it, here and elsewhere. Cf. esp. Brut. 77 Scipionem accepimus non infantem fuisse; ib. 101 historia ipsius...quae neque nimis est infans neque perfecte diserta; Att. 9, 14, 2 homo non infans, sed qui de suo illa non dicat. In the last passage I accept the fine correction of Tyrrell and Purser (*qui de suo illa* for *quis ulli*); but they, like other editors, interpret *non infans* as 'no fool,' a sense which belongs to a much later time than that of Cicero; for Att. 10, 18, 1 Hortensina omnia fuere infantia, is obviously corrupt. *Fuerunt* must be substituted for *fuere*, which Cicero did not write; the first letters of *infantia* have come from that word. Then read *fatua*. Even in Inv. 1, 4 infantes et insipientes homines, and in Varro, 'ὄνος λύπας' (ap. Non. 55 M.) infantiorum quam meus est mulio, *infans* does not mean 'silly.' [In the latter passage the context and the other fragments of the same satire show this.]

Exx. of *infans* = *non eloquens* are rare after Cicero's time; so Quint. 11, 1, 21; Arnob. 3, 6 has one instance, imitated from Cicero. The noun *infantia* in Cicero always means 'incapacity to speak,' as several times in Quint. and Ad Her. 2, 16, not 'infancy'; much less 'childishness,' which usage is late, as in Juv. 10, 199 madidique infantia nasi. [Suet. Gram. 4 is wrongly quoted for this meaning in Dictt.]

impotenti: Cicero doubtless had in his original ἀσθενής, which often means 'poor.' This sense of *impotens* is rare; the only other instance in Cicero is Mur. 59; Terence employs *impotentia*, meaning 'poverty.' Even the meaning 'powerless' is not common; so Sall. or. Macri 3 (p. 127 Maur.) solus impotens inani specie magistratus. As to the context cf. Stob. flor. 45, 25 Ζάλευκος ὁ τῶν Λοκρῶν νομοθέτης τοὺς νόμους ἐφῆσε τοῖς ἀραχνίοις ὁμοίους εἶναι, ὥσπερ γὰρ εἰς ἐκεῖνα ἐὰν ἐμπέσῃ μύια ἢ κώνωψ, κατέχεται, ἐὰν δὲ σφήξ ἢ μέλιττα, διαρρήξασα ἀφίπταται, οὕτω καὶ εἰς τοὺς νόμους ἐὰν μὲν ἐμπέσῃ πένης συνέχεται, ἐὰν δὲ πλούσιος ἡ δυνατὸς λέγειν διαρρήξας ἀποτρέχει.

3. *qui...possit*: causal subj., to which *conetur* is assimilated.

4. *fortunae*: for the explanatory gen. cf. Tac. an. 1, 8, 7 heredum opibus (cf. our vulgar phrase, 'a wealth' of anything).

5. *liberalitati*: (cf. 2, 84) includes a generous use of talent as well as property. *Liberalitas* implies justice, being an expansion of it; the two notions are often joined by Cicero as e.g. in Off. 1, 43 nihil est...liberale quod non idem iustum. Hence the reference of *qua* in the next sentence to *liberalitate* is quite natural. [Usener thought it should refer to *iustitia* and so conjectured dislocation.]

qua qui: see my n. on Acad. 1, 6.

benivolentiam: Philod.—Vol. Rhet. ed. Sudhaus, p. 60, l. 21 ἔχειν δὲ ὥσπερ τι ἐφόδιον ἐπὶ τὸν βίον ἐφάσαν διὰ παντὸς

tiam sibi conciliant et, quod aptissimum est ad quiete vivendum, caritatem, praesertim cum omnino nulla sit causa peccandi. Quae enim cupiditates a natura proficiscuntur, facile explentur sine ulla iniuria, quae autem inanes sunt, iis parendum non est. Nihil enim desiderabile concupiscunt, plusque in ipsa iniuria detrimenti est quam in iis rebus emolumenti, quae pariuntur iniuria. Itaque ne iustitiam quidem recte quis dixerit per se ipsam optabilem, sed quia iucunditatis vel plurimum afferat. Nam diligi et carum esse iucundum est propterea, quia tutiorem vitam et voluptatum plenior efficit. Itaque non ob ea solum incommoda, quae eveniunt improbis, fugiendam improbitatem putamus, sed multo etiam magis, quod, cuius in animo versatur, numquam sinit eum respirare, numquam acquiescere. Quod si ne ipsarum quidem virtutum laus, in qua maxime ceterorum philosophorum exsultat oratio, reperire exitum potest, nisi dirigatur ad voluptatem.

4 non est: non om. A¹. 5 in ipsa iniuria: iniuria ipsa A. 9 voluptatum C. F. W. Müller (vid. comm.): voluptatem, ita codd. 11 eveniunt: et veniunt AP.

αὐτὴν (sc. τὴν ῥητορικὴν) καὶ κατασκευαστικὴν φίλων; Plat. Rep. 351 D ἡ δὲ δικαιοσύνη ὁμόνοιαν καὶ φιλίαν παρέχει. On the other hand rhetoric was described by Philod. as a bulwark for the protection of wealth (p. 235).

2. praesertim...peccandi: this clause is very abruptly introduced, and the exposition from this point to the end of § 54 is in some respects disorderly; whether the fault lies with Cicero or his source or the copyists is hard to tell. The words praesertim cum...pariuntur iniuria hang together; but the following sentence is out of harmony with them; and again nam diligi...efficit has little connexion with what immediately precedes. The following arrangement would make the whole context fairly consistent. Place a full stop at caritatem; then let the sentence nam diligi...efficit follow, with a semicolon at efficit. Next should come praesertim cum...pariuntur iniuria. No proper place can be found for the sentence itaque...acquiescere unless it be made to succeed turbulenta est in § 50.

quae enim, etc.: nn. on § 45; and cf. Epic. ap. Stob. flor. 17, 35 οὐ γὰρ ἡ τῆς φύσεως ἡδονὴ τὴν ἀδικίαν ποιεῖ ἐξωθεν, ἀλλ' ἡ περὶ τὰς κενὰς δόξας ὀρεΐς. Here probably we should read ἀπὸ τῶν ἐξωθεν, connecting the words with ἡδονή: cf. κυρ. δ. 39 τὸ μὴ θαρροῦν ἀπὸ τ. ἐξ.

5. ipsa iniuria: 'the mere fact of wrong-doing'; cf. hoc ipso quod adest in § 50.

8. quia...afferat: n. on § 32. Cicero has propterea quia a few times in his philosophical works but not in his speeches; cf. Fam. 4, 5, 1 (Sulpicius).

9. iucundum est: spite of two subjects, marked off by et...et; cf. § 66. Torquatus here touches on the theme of friendship, fully debated in §§ 65-70. As justice is ἀνταπόδοσις, equivalent mutual service, the two matters lie close together.

voluptatum: cf. Diog. L. 10, 142 πανταχόθεν εἰσπληρουμένοι τῶν ἡδονῶν: 2, 64 vita conferta voluptatum omnium varietate; Sest. 23 vita plena et conferta voluptatibus; above § 41 vita doloribus referta. With the reading voluptatem cf. Sen. ep. 74 § 15 bona pleniora.

10. incommoda: here confined to trouble from without, though the word would naturally cover the internal trouble also. For the unrest of the φαῦλος see Lael. 92 n.

14. exsultat: for the metaphor see my n. on Acad. 2, 112. In Cat. 2, 3 in hoc ipso in quo exsultat et triumphat oratio mea; above § 36 iactare vestra se oratio.

15. reperire exitum: see parallels in my n. on Acad. 2, 27; add N.D. 1, 107; Merquet, Lex. to Cicero's Speeches s. v. exitus (invenio, reperio); Varro, r. r. 2, 1, 25 exeant = exitum habeant.

dirigatur: cf. 2, 115 ad voluptatem artes direxisse.

tatem, voluptas autem est sola, quae nos vocet ad se et alliciat suapte natura, non potest esse dubium, quin id sit summum atque extremum bonorum omnium, beateque vivere nihil aliud sit nisi cum voluptate vivere.

55 XVII. Huic certae stabilique sententiae quae sint coniuncta 5 explicabo brevi. Nullus in ipsis error est finibus bonorum et

6 nullus...ignorant: vereor ne haec verba vel insiticia sint vel a scribis alieno loco posita. Cf. Usener, *Epicurea*, p. 271.

1. *sola quae*, etc.: as set forth in § 30 sq.

2. *id sit*: attraction.

5. *stabili*: § 63 *stabilem scientiam rerum*; 2, 71, 113.

coniuncta: the expression implies that the preceding exposition has given all that is essential to the ethical scheme of Epicurus, and that only details are left which are not of the first importance. We may compare the introduction of the topic of friendship in § 65 *restat locus*, etc.

6. *explicabo*: so *nunc autem explicabo* in § 37; also §§ 28, 32, 72; 3, 14; 3, 50 *deinceps explicatur differentia rerum*.

brevi: this may possibly point to compression of an original Epicurean source. The whole xviii chapter presents serious difficulties. The introduction of the sentence *nullus...ignorant* is exceedingly abrupt. It announces a polemic against certain persons who hold wrong notions as to the sources from which pleasure and pain arise. These are immediately declared to be *adherents of the Epicurean school itself* (*si qui e nostris aliter existimant*) and this is confirmed by a reference which Torquatus makes to a criticism by Cicero in § 25. The error of these heretics consists in *not admitting* that mental pleasures and pains have their ultimate source in the pleasures and pains of the body; in fact they hold that the two sets of pleasures and pains exist independently. (It does indeed happen that these heretics coincide with Aristippus, Diog. L. 2, 89.) Then the exposition seems to turn to the Cyrenaics with the words *quamquam autem* (§ 55); and their doctrine that bodily pleasure is greater than mental is controverted. Next, it is argued (against unknown objectors) that though the removal of pain *ipso facto* produces pleasure, yet the removal of pleasure does not *ipso facto* bring with it pain. Then from the beginning of § 57 to the end of the chapter the pleasures and pains of anti-

cipation and memory are treated. The chapter therefore falls into these sections: (a) criticism of certain Epicurean heretics; (b) criticism of Cyrenaics; (c) criticism of some unknown objectors; (d) statement of a point in Epicurean ethics not hitherto handled, but appropriately introduced here, as naturally connected with the previous sections. There is no warrant whatever for supposing (as Usener and Hirzel do) that in the original from which Cicero drew, all these four sections formed part of a polemic against the Cyrenaics. In order to include the first section in this supposed polemic, Hirzel (II, 678) is forced to interpret *nostris* as including the Cyrenaics! And he supposes that he strengthens his position by assuming that there were many who wavered about between the school of Epicurus and that of Aristippus. [Usener ignores the difficulty of *nostris* altogether.] It is, moreover, by no means certain that Aristippus denied the ultimate connexion of all mental pleasures and pains with bodily; see Zeller, II, p. 308, 9, ed. 3. Again, it is quite impossible to suppose that the sentence *nullus...ignorant* can apply to Aristippus. See however below. There is further not the least reason for identifying with the Cyrenaics the objectors against whom defence is made in section (c). Epicurus held that there was no middle state between pleasure and pain, while Aristippus asserted its existence, but the controversy in the section is not between these two views; it only concerns a minor question of consistency. As to section (d) it is true that the Cyrenaics attributed no importance to the pleasures and pains of anticipation and memory. But this is a matter for which a place must have been found in any exposition of Epicurean ethics. Looking to the whole matter, I regard as improbable the assumption of Usener that Cicero's supposed Epicurean friend appended to his epitome of Epicurean ethics a sum-

malorum, id est in voluptate aut in dolore, sed in eis rebus peccant, cum, e quibus haec efficiantur, ignorant. Animi autem voluptates et dolores nasci fatemur e corporis voluptatibus et

2 e quibus: ei quibus E.

mary of the whole Epicurean polemic against Aristippus. There would be just as much reason in referring §§ 38, 39 to a polemic against Aristippus. If there had been such an appendix, one would have expected to find it, not here, but at the end of the whole exposition, just as in Diog. it comes at the end of his presentment of the Epicurean scheme. I need hardly say that I regard as unjustified the abuse aimed at Cicero by Usener merely on the strength of a baseless assumption. He practically denies to Cicero the most elementary knowledge of the views of Aristippus, which other passages abundantly prove him to have possessed.

As to the objections (Madvig and Usener) that topics are in this chapter handled which had been brought forward before, it is only what must be expected in ancient philosophy. The argument (Hirzel) from Epicurus' writings is unsound; e.g. justice is mentioned in the 17th κ. δ. and again xxxi-xxxvii.

The contention of Hirzel, Unt. II, 664, that only in the title of the book and in Acad. 2, 132, is *finis* applied to evil, is wrong.

nullus...ignorant: Usener, as proof that the sentence refers to Cyrenaics, quotes Diog. L. 2, 89 δύνασθαι δὲ φασὶ καὶ τὴν ἡδονὴν τινὰς μὴ αἰρεῖσθαι κατὰ διαστροφὴν, which is obviously irrelevant. If, as has been supposed, this is a criticism of the Cyrenaics, it is strangely put. The difference between the ἡδονὴ ἐν στάσει and the ἡδονὴ ἐν κινήσει goes to the root of the Epicurean system and cannot have been treated as a mere difference of detail. Above, for instance, § 37, the Cyrenaic doctrine of pleasure is called an *error imperitorum*. It is further to be noticed that in *eis rebus* can hardly refer to *voluptas* and *dolor*; if so, *haec* becomes intolerably superfluous; and also there is a contradiction, for the very people who make no error about the ethical standard are said to sin in respect of it. We have thus indications that the whole sentence has been torn from its original context, so that in *eis rebus* has lost its proper reference. Not improbably, the sentence originally came

between §§ 47 and 48 (after *obligantur*). Thus in *eis rebus* means 'in connexion with such circumstances' and *peccant* is much more suitably used; cf. § 52 cum omnino nulla sit causa peccandi, but *peccare in re* of theory; 2, 32; 4, 58. Havet solves the difficulty of *haec* by supposing it to have arisen from *efficiantur*. He condemns *iis* because it is anacoluthic (Rev. de Phil., xxiii). [The space between Müller's p. 110, l. 19 and 113, l. 2 is just about 93-94 ll., i.e. four times the 23-4 line to a page of archetype of which there are other indications. The sentence in question may have dropped out and been written in 4 pp. too late.]

finibus...dolore: see Acad. 2, 114.

2. *animi voluptates*: Epicurus used ἡδεσθαι, ἡδονή of the body, χαλεπὸν, χαρὰ of the mind; see Plut. n. p. suav. vivi, c. 5, p. 1089e and Diog. L. 10, 12 τὸ κατὰ ψυχὴν χαλεπὸν, rendered by *laetitia* in 2, 97; cf. Tusc. 3, 41 mentis laetitia... laetantem mentem; and below 3, 1 dulcedinem corporis ex ea nata laetitia (sc. animi). Sen. uses the phrase, ep. 78, 22; 84, 11.

3. *nasci fatemur*, etc.: the utterances of Epicurus and his followers concerning the relation of bodily to mental pleasure are contradictory; and their ancient critics, especially Plutarch in his tract 'non posse suaviter vivi secundum Epicurum,' pushed home vigorously the contradictions. On the one hand we are told that if sensual pleasure be removed, there is no pleasure left (n. on 2, 7); that happiness consists in the stability of bodily welfare, and the confidence that this welfare will continue (n. on 2, 92), and even that the belly is the gauge by which all pleasure must be measured (see next note); on the other hand (as here) that mental pleasure far outweighs bodily; that to be happy we must purge ourselves of bodily contamination. Plato Phaedr. 250c καθαροὶ καὶ ἀσήμενοι τούτου δὲ νῦν σώμα περιφέροντες ὀνομάζομεν, and Metrodorus ap. Plut. Colot. 17, p. 1117 b ἀπαλλαγέντες ἐκ τοῦ χαμαὶ βίον εἰς τὰ Ἐπικούρου ὡς ἀληθῶς θεόφαντα ὄργια. Nearly all the information which we possess concerning the Epicurean school comes from professed opponents who doubtless passed by

doloribus; itaque concedo, quod modo dicebas, *cadere* causa, si qui e nostris aliter existimant, quos quidem video esse multos, sed imperitos; quamquam autem et laetitiam nobis voluptas animi et molestiam dolor afferat, eorum tamen utrumque et ortum esse e corpore et ad corpus referri, nec ob eam causam non 5 multo maiores esse et voluptates et dolores animi quam corporis. Nam corpore nihil nisi praesens et quod adest sentire possumus, animo autem et praeterita et futura. Vt enim aeque doleamus animo, cum corpore dolemus, fieri tamen permagna accessio

1 *cadere causa: cedere causae* codd. omnes; correxit Victorius. 4 *afferat: afferet* A'E; *afferet* P et ed. Rom. (sed in P litterae *ret* ex correctione). 8 *doleamus: post hoc habent codd. animo*, quod eiecit Madv.: sed retinendum puto; vid. comm. 9 *dolemus: non dolemus* E.

much that would have served to heal over these inconsistencies. They partly disappear when we remember that to Epicurus perfect happiness means perfect peace, and that peace is only attainable by the restriction of the passions to the narrowest sphere. The ideal sage pays no more heed to the body than is merely necessary for the continuance of life. The resultant peace is a possession of the mind, as is indeed, in a certain sense, the grossest bodily pleasure. Epicurus must have seen how impossible it is to disregard the mental factor, just as he saw it in connexion with sense-perception.

nasci: cf. Acad. 2, 140 (of Epicurus) fontem omnium bonorum in corpore esse; Epic. ap. Athen. 12, p. 546 ἀρχὴ καὶ ῥίζα παντὸς ἀγαθοῦ ἢ τῆς γαστρὸς ἡδονή· καὶ τὰ σοφὰ καὶ τὰ περιττὰ ἐπὶ ταύτην ἔχει τὴν ἀναφοράν. The precise meaning of this utterance is far from certain. It does not deny that τὰ σοφὰ καὶ περιττὰ are ἀγαθὰ, but asserts that they are somehow dependent on the γαστήρ. It may be that γαστήρ like σάρξ was a symbol of the whole body. Naturally the opponents of Epicureanism took the text to mean that the pleasure of the belly was the sole and only pleasure; so Diining, Metrod. fragm. 47-51. Cic. in N.D. 1, 113 treats *ventre beatam vitam metiri* as the equivalent of *omnia ad voluptatem referre*. Cf. also below 2, 98, 106-107.

1. *dicebas*: in § 25, where, however, the opinion is rather implied than clearly shown.

3. *quamquam...referri*: merely a repetition of *animi...doloribus* above.

4. *eorum...utrumque*: for the neuter,

though both nouns are fem., cf. § 65 *eorum utrumvis*; Acad. 2, 60 *utrumque* after *ratione, auctoritate*; ib. 2, 138 and n. on 3, 48.

5. *corpore*, etc.: so Tusc. 5, 96 (of Epicurus) corpus gaudere tam diu, dum praesentem sentiret voluptatem, animum et praesentem percipere pariter cum corpore, et prospicere venientem nec praeteritam praeterfluere sinere. Ita perpetuas et contextas voluptates in sapiente fore semper, cum expectatio speratarum voluptatum cum percipere memoria iungeretur.

nec...corporis: the opposite view was held by the Cyrenaics, Diog. L. 10, 137; ib. 2, 90. Usener says that Cicero coupled this doctrine with the preceding 'inapte,' but he gives *no* reasons for his opinion. The two statements seem to me to cohere very naturally: (1) that all mental pleasures and pains are referable to the body; (2) that nevertheless, mental pleasures and pains are *intenser* than bodily. Cf. Philod. V. H.² 7, 177 *μυρίω μείζονα τὰ ψυχικὰ τῶν ἄλλων ὑπάρχειν*. Democritus in the same way sets mental enjoyment above corporeal (fragm. 3-7, 17).

7. *praesens et quod adest*: the same pleonasm in Off. 1, 11; Tusc. 4, 14; Ter. Ad. 393 *ades praesens*; Plaut. Amph. 977.

8. *et praeterita*: possibly *etiam* should be read.

ut enim, etc.: Madvig (bracketing *animo*) calls it *vocem suppositiciam*. I venture to think this note mistaken; by introducing the words *non maiorem, non minus*, Madvig has confused the issue. In Tusc. 5, 96 it is said 'animum et praesentem (voluptatem) percipere pariter cum corpore.' Exactly similarly it may

potest, si aliquod aeternum et infinitum impendere malum nobis opinemur. Quod idem licet transferre in voluptatem, ut ea maior sit, si nihil tale metuamus. Iam illud quidem perspicuum est, 56 animi maximam aut voluptatem aut molestiam plus aut ad 5 beatam aut ad miseram vitam afferre momenti quam eorum utrumvis, si aequae diu sit in corpore. Non placet autem detracta voluptate aegritudinem statim consequi, nisi in voluptatis locum dolor forte successerit; at contra gaudere nosmet omittendis doloribus, etiamsi voluptas ea, quae sensum moveat, nulla 10 successerit; eoque intellegi potest quanta voluptas sit non dolere.

4 ad: om. E (bis).

6 utrumvis: *utriusque utrumvis* ed. Rom.

be said, 'aeque dolemus animo, cum (whenever) corpore dolemus.' Put this as a concession with *ut* and we have the words in the text. Madvig's interpretation of *cum* is surely perverse.

1. *si...opinemur*: the most extreme specimen is given of the addition to pain which the mind can make and it is one which does not closely correspond to the circumstances just mentioned. From the context *ut*, 'for instance,' might have been expected to introduce the illustration. Cf. the *Herculean Roll*, no. 26, in Scott, p. 214, where men and animals are compared, and it is said that the *ταραχή* of men is greater, 'αλώγια δεινὰ προσδοκῶντων.' In the same treatise (p. 226) it is argued that the fear of death is in reality part and parcel of the dread of the gods. (In the next section it is forgotten that *ὀλῆσις* may lead to reasonless exaltation as well as to reasonless depression.)

aliquod: for this after *si* see Reisch-Haase (ed. Landgraf) n. 355. The difference between *si quod* and *si aliquod* is just that between 'if any' and 'if some.'

2. *quod idem*: cf. 3, 24, 44.

3. *iam illud...in corpore*: this is in the main a re-statement of the doctrine put forward just above. The two presentments of it differ in these respects: (1) above, the case of pain or pleasure simultaneously affecting mind and body is considered; here the case of mind and body being affected by a pain or a pleasure for equal periods of time not at the same time; (2) the words *si aliquod...metuamus* are now summed up in the one word *maximam*; (3) the bearing of the case contemplated upon the whole happiness or misery of life is now considered. The distinctions between the two presentments are not fundamental,

but they are sufficient to prevent the re-statement from being looked upon as mere repetition. In the second passage, it may be noted (as sometimes in the *Philebus*) the language implies the possibility of the body being affected entirely apart from the mind, and *vice versa*.

perspicuum: this is not an appeal to popular or general opinion, as Hirzel says; rather Torquatus conveys that the fact has been made clear by his exposition. This is the regular use of the clause *iam illud perspicuum est*, for which see my n. on Acad. 2, 132. The words *eoque...non dolere* are certainly rather loose, especially *quanta*, but the Epicurean use of language is not looser on the whole than that of other ancient philosophical writers, even the greatest. But no exposition of a system can absolutely avoid the repetition of topics, and the incoherence of this sentence with what precedes, on which Madvig insists, is very slight. When speaking of the effect which pleasures and pains of body and mind have on happiness, it was not unnatural to caution against supposing that the moment bodily pleasure vanishes, unhappiness ensues.

6. *non placet*, etc.: we have certainly (as Madvig objects) had this doctrine before (§ 38).

7. *voluptate*: here evidently = *v. quae sensum moveat*, not the *ἡδονὴ ἐν σάσει*. The repetition *voluptate...voluptatis* should be noticed. Cf. 2, 33.

aegritudinem: *πένον*.

8. *successerit*: perf. subj. as in § 22 putat sublatum esse si probatum sit.

omittendis: this word can scarcely be right; *omittere* implies the rejection of something desirable, as in § 36 ut voluptates omittantur.

57 Sed ut eis bonis erigimur, quae exspectamus, sic laetamur eis quae recordamur. Stulti autem malorum memoria torquentur, sapientes bona praeterita grata recordatione renovata delectant. Est autem situm in nobis ut et adversa quasi perpetua oblivione obruamus et secunda iucunde ac suaviter meminerimus. Sed 5 cum ea quae praeterierunt, acri animo et attento intuemur, tum fit ut aegritudo sequatur, si illa mala sint, laetitia, si bona. XVIII. O praeclaram beate vivendi et apertam et simplicem et directam vitam! Cum enim certe nihil homini possit melius esse quam vacare omni dolore et molestia perfruique 10 maximis et animi et corporis voluptatibus, videtisne, quam

5 secunda: *secula* E.

nulla: cf. my n. on Cat. m. 74.

eoque: qy. *ex eoque* (m. 16 *ex quo* intellegi debet) and 1 § 48.

1. *erigimur*: as in Acad. 2, 127 and Cato m. 82 = *ἐπαυρόμεθα*: i.e. we who are wise; cf. *stulti autem*.

2. *stulti*: the stock phrase for the unlightened.

3. *grata*: 'thankful'; the Epicurean writings contained many denunciations of unphilosophic men as thankless for the good things which nature spreads forth for us. Cf. Sen. ben. 3, 4, 1 *Epicuro...qui assidue queritur quod adversus praeterita simus ingrati*; id. ep. 15, 10 (from Epicurus) *stulta vita ingrata est et trepida*; Lucr. 3, 935 nam grato si (so I read *for gratis*, which is unintelligible) *anteacta fuit tibi vita priorque* | *et non omnia pertusum congesta quasi in vas* | *commoda perfluxere atque ingrata interiere*: | *cur non ut plenus vitae conviva recedis* | *aequo animoque capis securam, stulte, quietem?* | *Sin ea quae fructus cumque es periere profusa* | *vitaque in offensast, cur amplius addere quaeris* | *rursum quod pereat male et ingratum occidat omne?* Ib. 1003; ib. 5, 43 at nisi *purgatum* et pectus, quae proelia nobis | atque pericula tumst ingratis insinuandum! Here *ingratis* is an adjective in agreement with *nobis*, not an adverb. The same is the case with 6, 15 atque animi ingratis vitam vexare sine ulla pausa. The *Herculanean roll* no. 1414 has preserved fragments of the work of Philodemus *περί χάριτος*; and the word *χάρις* is of frequent occurrence in other fragments, as roll 157 (ed. by Scott), fragm. 69, 70 p. 130; add the *Vatican fragment*. § 69 τὸ τῆς ψυχῆς ἀχάριστον λίχρον ἐποίησε τὸ ζῶον ἐλς ἀπειρον τῶν ἐν

διαίτη ποικιλμάτων: § 75 ἐλς τὰ παρῳχη-
κῶτα ἀγαθὰ ἀχάριστος φωνή ἢ λέγουσα
'τέλος ὅρα μακροῦ βίου': Plut. non posse,
etc. c. 7, p. 1091 ὁ τὴν τοῦ ἀγαθοῦ φύσιν ἐξ
αὐτῆς τῆς φύγῆς τοῦ κακοῦ καὶ τῆς μνήμης
καὶ ἐπιλογίσεως καὶ χάριτος...γενῆσθαι.
One of the works of Epic. in Diog. L.
is *περί δώρων καὶ χάριτος*.

4. *est situm in nobis*: 'it depends upon our wills'; so 2, 89 and 5, 12 and often elsewhere; also *est*, non *est* in nostra potestate, as in Tusc. 3, 35, where this doctrine of Epicurus is attacked.

et...et...ac: cf. *et*, *et*, que in 2, 100.
oblivione ob.: so 2, 105; *quasi*, 'almost,' as often with numbers. Cf. Reisch-Haase (ed. Landgraf) n. 415 i.

5. *iucunde ac suaviter*: the only distinction between these two adverbs is, as Madvig says, that the former has the wider scope.

meminerimus: Aristippus insisted 'οὐδὲ κατὰ μνήμην τῶν ἀγαθῶν, ἢ προσδοκίαν, ἡδονὴν ἀποτελεῖσθαι...ἐκλύεσθαι γὰρ τῷ χρόνῳ τὸ τῆς ψυχῆς κίνημα' (Diog. L. 2, 89, 90). Plutarch argues (non posse, etc., cc. 4 sq.) that the memory of pleasure is no more than a sort of aroma (*ὁσμή*), the chief effect of which will be to stimulate to the repetition of the active pleasure. [Cf. Orosius, Hist. iv, praef.]

7. *aegritudo*: the mode in which Epicurus treated this topic is dwelt on in Tusc. 3, 28-35 (where notice the reference to the Cyrenaics).

11. *videtisne*: here *ne*=*nonne*, as often; see Acad. 2 §§ 11, 75, 116.

quam nihil p.: so Att. 9, 2 a, 1 *quam nihil praetermittis*. *Quam n.* is fairly common, *tam nihil* rare and not Ciceronian (Perslus, 1, 122).

nihil praetermittatur, quod vitam adiuuet, quo facilius id, quod propositum est, summum bonum consequamur? Clamat Epicurus, is quem vos nimis voluptatibus esse deditum dicitis, non posse iucunde vivi, nisi sapienter, honeste iusteque vivatur, 5 nec sapienter, honeste, iuste, nisi iucunde. Neque enim civitas 58 in seditione beata esse potest nec in discordia dominorum domus; quo minus animus a se ipse dissidens secumque discordans gustare partem ullam liquidae voluptatis et liberae potest. Atqui pugnantibus et contrariis studiis consiliisque semper utens nihil 10 quieti videre, nihil tranquilli potest. Quod si corporis gravioribus 59 morbis vitae iucunditas impeditur, quanto magis animi morbis impediri necesse est! Animi autem morbi sunt cupiditates

2 consequamur: *prosequamur* E. 3 vos: om. P et ed. Rom. 7 discordans: *dicordans* A. 8 atqui: *atque* Orelli. 10 tranquill: fortasse excidit *cernere*. 11 vitae iucunditas...animi morbis: om. E. 12 necesse est: *necesse potest* A (sed *necesse* prima manus indicat delendum esse).

1. *praetermittatur*: the tense seems to indicate that the exposition is not yet at an end.

quo: not conjunction, but abl. neut.; see n. on § 41.

2. *clamat*: so 2, 51; 5, 93 and often; cf. *vociferari* in Lucret.

4. *non posse*, etc.: see n. on § 42; and cf. *Baton comicus* (Us. § 427).

iusteque: for *que* see N.D. 2, 99. Possibly here it should be struck out, as it is not found immediately after. In 2, 51 *honeste et sapienter et iuste*.

6. *seditione*, etc.: cf. § 44.

dominorum: the passions; *Lucr.* 5, 87; 6, 63 *acres dominos*; *Sen. ep.* 37, 4.

dominorum domus: *Ihering, Geist d. Röm. Rechts*, II, p. 215, shows that the Romans connected in their minds the words *domus*, *dominus*, *dominium*; cf. *Enn. ap. Off.* 1, 139 *o domus antiqua*, *heu quam dispari | dominare domino!*

7. *quo minus*: = *et eo minus*; *Madv. qu. Fat.* 33 *ne praeterita quidem ea, quorum nulla signa...exstarent*, *Apollini nota esse censebat*; *quo minus futura*. So, too, *Lucret.* 4, 206 *quone vides citius debere...ire* is equivalent to *eone citius*, etc. rather than *videsne quanto*, etc. (as *Munro* explains).

animus...dissidens: there is much talk of this internal *σάσις* in the Republic of Plato; but no passage is imitated here, as *Usener* supposes, who points to 352 a. For the comparison was trite, e.g. *Rep.* 1, 60; *Lael.* 23; above, § 44.

a se ipse: cf. 3, 1; *Acad.* 2, 36.

dissidens...discordans: so § 44; these

are, I think, the only two instances of *discordare* in Cicero.

8. *gustare*: so often; cf. *Fam.* 12, 23, 3 *nullam partem sanae et salvae rei publicae gustare potuisti*.

liquidae: ἀκεφαλῶν, as often in Epicurean texts; cf. *Lucr.* 3, 40 *neque ullam | esse voluptatem liquidam puramque relinquit*. *Liberae* is ἀνεμπόδιον.

atqui: *Madvig* combats the proposal to read *atque*, saying that we have the common use of the word as attached to the minor premiss of a syllogism, which he thus sets forth: 'animus a se dissidens beatus esse non potest; atqui animus pugnantibus studiis utens, quod facit, si non honeste sapienterque vivit, non est tranquillus et a se dissidet; ergo animus non honestus non est beatus.' In a great many places *atque* at the beginning of a sentence, introducing a new point like *et*, has been needlessly altered to *atqui* by editors; so in *Att.* 13, 31, 3; *Fam.* 5, 12, 7; 10, 14, 1; *Qu.* Fr. 2, 4, 7 [cf. 2, 34; *Flacc.* 41 *Du M.*]. *C. F. W. Müller* refers to *Lehmann* in *Jahresb. d. phil. Vereins*, 1888, p. 259.

10. *quod si...quanto*: the same form in 3, 5 and elsewhere.

11. *animi morbis*: see 3, 35 n.; medical metaphors applied to the soul are of course widespread. So *Diog. L.* 10, 122 ὁλκεία τῆς ψυχῆς; *Vat. γνῶμαι* § 64 δεῖ...ἡμᾶς γενέσθαι περὶ τὴν ἡμῶν λαρπελᾶν; *Hor. s. 2, 3, 77sq.* *quisquis | ambitione mala aut argenti pallet amore, | quisquis luxuria tristive superstitione | aut alio mentis morbo calet*.

immensae et inanes divitiarum, gloriae, dominationis, libidinosarum etiam voluptatum. Accedunt aegritudines, molestiae, maerores, qui exedunt animos conficiuntque curis hominum non intellegendum nihil dolendum esse animo, quod sit a dolore corporis praesenti futurove seiunctum. Nec vero quisquam stultus 5 non horum morborum aliquo laborat; nemo igitur *stultus* non 60 miser. Accedit etiam mors, quae quasi saxum Tantalo semper impendet, tum *superstitio*, qua qui est imbutus, quietus esse numquam potest. Praeterea bona praeterita non meminerunt, praesentibus non fruuntur, futura modo exspectant, quae quia 10 certa esse non possunt, conficiuntur et angore et metu maximeque cruciantur, cum sero sentiunt frustra se aut pecuniae studuisse aut imperiis aut opibus aut gloriae. Nullas enim con-

1 inanes cod. Vat.; *immanes* EP; *inmanes* A. 1 dominationis: ita P²; -es AEP¹. 3 exedunt: *excedunt* E. 3 animos: *nos* P et ed. Rom. 4 a dolore: *adere* A¹; *adore* A² (ex *do*^{re} pro dolore; vid. Cappelli, *Dizionario di abbreviature* (Milan, 1899), p. 94. 6 stultus: *est* codd.; corr. Baiter. 7 etiam: om. Nonius (p. 324 Merc.). 8 impendet: *impendit* E. 8 qua qui: *quia qui* Nonius (om. *superstitio*). 12 pecuniae: *pecuniis* E.

1. *inanes*: so, of *cupiditates* in §§ 45, 53; 2, 26, and Tusc. 5, 93. Madvig calls *immensae et inanes* 'ninium ac paene ridiculum,' saying that *ingens et immanis* (Verr.) is an expression of another type. But the reading *immanes* derives some support from the peculiar use of the word *θηριώδης* in Epicurean texts, for which see n. on § 61 *monstruosi*.

divitiarum: Vat. γνώμαι § 43 φιλαργυρεῖν ἄδिका μὲν ἀσεβές, δίκαια δὲ ἀσχερόν. ἀπρεπὲς γὰρ ῥυπαρῶς φείδεσθαι καὶ μετὰ τοῦ δικαίου.

3. *exedunt*: § 51; Tusc. 3, 27. Holstein's suspicion that *conficiuntque curis* has sprung from a gloss on *exedunt* is not unnatural, but it is not cogent.

5. *praesenti futurove*: see nn. on §§ 55 and cf. Epictet. d. 3, 7, 9 ἐπὶ τοῖς σωματικοῖς ἡδεσθαι τὴν κατὰ ψυχὴν ἡδονήν.

seiunctum: so 2, 20; 3, 71; 4, 43. 6. *nemo igitur...non miser*: a *Stoic doctrine* also; see 3, 61 and Zeller, *Stoics*, p. 270; and for the omission of *est* cf. § 13.

7. *accedit*: after *accedunt* above. *saxum Tantalo*: this form of the punishment of Tantalus appears in Pind. *Ol.* 1, 90 and *Isthm.* 8, 20; Eur. *Or.* 5; and often elsewhere in the poets; see Tusc. 4, 35; and cf. Lucret. 3, 980 nec miser impendens magnum timet aere saxum | Tantalus, ut fama est, cassa formidine torpens; | sed magis in vita

divom metus urget inanis | mortalis, casumque timent quem cuique ferat fors.

8. *imbutus*: this word has a weak and a strong meaning, 'tinged' and 'soaked'; for the former cf. Hortens. fragm. 23, which is very like Sen. ep. 71 § 31, but he contrasts *colorare* with *inficere*; Tusc. 1, 14 an tu dialecticis ne imbutus quidem es? and for the latter Fin. 2, 16 extorquere ex animis cognitiones verborum, quibus imbuti sumus. The phrases *imbui superstitione*, *religione* are common. Cf. Hor. ep. 1, 6, 5 (an Epicurean passage) formidine nulla imbuti; Sen. ep. 36, 3 perfundi, tingui; d. 12, 17, 4, where erudiri is much stronger than *imbui*.

10. *praesentibus*: Vat. γνώμαι § 35 οὐ δεῖ λυμαινέσθαι τὰ παρόντα τῶν ἀπόντων ἐπιθυμία, ἀλλ' ἐπιλογίζεσθαι ὅτι καὶ τὰυτα τῶν εὐκταίων ἦν.

modo: 'merely' = οὐδὲν ἄλλο ἢ; cf. Epic. ap. Sen. ep. 15, 10 stulta vita... tota in futurum fertur; cf. § 62 pendet ex futuris.

11. *non possunt*: from the point of view of the *stultus*; the *sapiens* has πιστὸν ἔλπισμα (Plut., non posse, etc. 4, 1089d).

12. *sero sentiunt*: cf. the proverb *sero sapiunt Phryges*. Otto, *Sprichwörter*, p. 278.

13. *studuisse*: Nägelsbach, § 177, p. 572, ed. 7.

secuntur voluptates, quarum potiendi spe inflammati multos labores magnosque susceperant. Ecce autem alii minuti et 61 angusti aut omnia semper desperantes aut malevoli, invidi, difficles, lucifugi, maledici, monstrosi, alii autem etiam amatoris

2 alii: *mali* Nonius, p. 345. 2 minuti: *inimici* E. 3 invidi: *aut invidi* ed. Rom. 4 monstrosi: *monstruosi* Nonius: *morosi* Lamb., quod commendat Madvig.

1. *quarum potiendi spe*: the analogy of passages like 5, 19 (below) *eorum... adipiscendi causa* and Phil. 5, 6 *facultas agrorum condonandi* makes it probable that *quarum* is not the ordinary genitive which follows, directly governed by *potiendi*. Much has been written about the origin of the construction in which a genitive of the gerund appears, as here, with another gen. plural in connexion. Madvig denounces those who hold that in *spe potiendi, facultas condonandi*, etc. the two words coalesce to form a single notion, on which thereafter the plural gen. depends; and indeed the explanation, when tested by application to many of the examples, comes to seem forced and unnatural. Yet there are some to which it applies well enough, as to Acad. 2, 128 *omnium rerum una est definitio comprehendendi*; and analogies may be found in such uses as in Att. 2, 5, 1 *ab hac hominum satietate nostri*. Madvig's own view is that the construction lies midway between the true gerund construction and the true gerundive construction and that *facultas agrorum condonandi* was a compromise, to avoid '*molestiam terminationis longioris et insuavioris repetendae*.' Another theory is that of Reisig, in accordance with which we have two parallel genitives both dependent on the same noun. He brings into comparison passages like Dem. Olynth. 2, p. 19 *τούτων οὐχὶ νῦν ὁρῶ τὸν καιρὸν τοῦ λέγειν*, put for *τοῦ λέγειν ταῦτα*. A fourth elucidation is possible, viz. to make the construction a case of double genitive so that the gen. of the noun depends directly on the gen. of the gerund. Madvig insists on the necessity of treating phrases like Caes. B.G. 4, 13 *venerunt...sui purgandi causa* (which contain a possessive pronoun) separately; in them he says *sui; mei*; etc. is neut. sing.; this he deduces from the fact that phrases such as *sui purgandorum causa* are unknown. Thus *sui purgandi causa* = *suae rei purgandae c.* It is, however, highly improbable that *sui* here was realised by the Latins as anything but a gen. plur.

2. *ecce autem*: this form of transition is common in Cicero; also in Livy and many other writers; *ecce enim* occurs once in a speech of Cicero; *sed ecce* two or three times; *ecce iam* is rare and late. See Köhler in Archiv 5, p. 16 sq.

minuti: the writer of the anonymous treatise, Vol. Herc. 1055 (given by Scott, p. 251) contrasts the *διαθέσεις ὀργίλλας καὶ μεικραίτους* with the *διαθέσεις παντὸς τοῦ ταπεινοῦ περιφρονούσας*. *Minutus* and *angustus* are joined in De Or. 3, 121; and Cicero several times applies *minutus* to persons, as Cato m. 85 m. *philosophi* (of the Epicureans). For the use of the word cf. my n. on Acad. 2, 75, and add Petron. 44 *populus m.*; Pl. Cas. 311 (ed. Ussing) *minutos deos*. As to the context Madvig writes '*recte Matthiaeus duo genera minuti animi notari docet, alterum positum in timiditate quadam et desperatione, alterum in invidia et morum difficultate.*'

3. *omnia desp.*: *ἀπονενομημένοι*: cf. Usen. § 488 *ἡ ταπεινὴ ψυχὴ τοῖς μὲν ἐνημερήμασιν ἐχαννῶθη, ταῖς δὲ συμφοραῖς καθηρέθη*.

invidi: Vat. γ 601 § 53 *οὐδενὶ φθονητέον* ἀγαθοὶ γὰρ οὐκ ἀξιοὶ φθόνου, *πονηροὶ δὲ ὅσω ἂν μᾶλλον εὐτυχῶσι, τοσοῦτω μᾶλλον αὐτοῖς λυμάνονται*. In Vol. Herc. No. 26 (Scott, p. 211) *ἐπιχαίρεκακία* is mentioned; there was evidently a large Epicurean literature devoted to the treatment of the vices. Thus roll no. 1008 has the title *Φιλοδήμου περὶ κακιῶν* and 1470 (Scott, p. 40) *Φιλοδήμου τῶν κατ' ἐπιτομήν ἐξεργασμένων περὶ ἡθῶν καὶ βίων ἐκ τοῦ Ζήνωνος σχολῶν ὃ ἐστὶ περὶ παρρησίας*.

4. *lucifugi*: the word occurs here only in Cicero, and is rare elsewhere. In Lucil. 340 (ed. Baehrens) it is joined with *nebulo*; Virg. G. 4, 243 applies it to *blatta*; cf. Min. Fel. 8, 4 *vita latebrosa et lucifuga*; Rutil. Namat. 1, 440 speaks of the island of Capraria as full of *lucifugi* (monks). [The expression *Lucretiano adiectivo* in Madvig's n. is an error for *Luciliano*.] There is also *lucifuga*, applied to persons by Sen. ep. 122, 15, and by Ammianus, Appuleius and others; and I would read *lucifugas* for

levitatibus dediti, alii petulantes; alii audaces, protervi, idem

1 alii petulantes: alii appetendi omnia petulantes ed. Colon. 1 protervi...
ignavi: fortasse legendum est protervi idem intemperantesque et ignavi.

lucrifugas in Plaut. Pseud. 1131 Venus mihi haec bona dat, quom hos huc adigit | *lucrifugas*, damni cupidos, where *lucrifugas* is a weak doubling of *damni cupidos*. The words *lucifugus lucifuga* are slang formations like Hesiod's ἡμερόκοιτος for a housebreaker, which Plautus represents by *dormitator*; cf. too Corp. Gloss. Lat. 2, p. 60 emansores ἀπόκοιτοι λήσται. There are a good many words of the same stamp. So *tenebrio* (Afranius, Varro ap. Non. 18, 27); with which compare *tenebrae* = 'a low haunt,' in Catull. 55, 2 demones ubi sint tuae tenebrae, and Varro, Men. sat. fr. 435 (ed. Büch.). Then *nebulo*, for which we have an explanation by Aelius Stilo: 'dictus est qui non pluris est quam nebula, aut qui non facile perspicui potest'; rather, 'the man under a cloud.' So, too, *lusto* Naevius *nubilo* in Hildebr. gl. Paris. p. 220 (I see no reason for questioning the word as W. Meyer does in Archiv 5, p. 226); *vapio* in C.I.L. 9, 6089, 6, related to *vappa*, 'the man of smoke,' whom Hor. s. 1, 1, 104 joins with *nebulo*; further, Paul. ex F. p. 75 (s.v. Elucum) halonem, id est hesterno vino languentem; and the names *vesperones*, *vespillones* are of the same type. Querolus ed. Peiper, p. 21, l. 18 ubinam illa est cohors fuliginosa vulcanosa atra (thieves).

monstrosi: I have no doubt that Cicero is here rendering the word θηριώδεις; cf. Epicur. ap. Porph. ad Marc. 29, p. 209, 5 (Us. § 480) ἐξ ἐργασίας θηριώδους (so Nauck) οὐσίας μὲν πλήθος σμυρῆται, βλος δὲ θαλάττωπος συνίσταται: Arist. Pol. 5 (8), 1338b, 12 (of Spartans) θηριώδεις ἀπεργάζονται τοῖς πόνοις: Eth. N. 7, 1145a, 30. There is no adjective better suited to render θηριώδης, since there is none connected with *bestia*, *fera*, *animal*, while *monstrum* (like *portentum*) is often applied to persons. The frequent occurrence in our mss. of *monstruosus* has led some scholars to regard that as the true form (so Seyffert-Müller's ed. of Laelius, p. 432, and Usener, p. 273 n., but Seyffert was wrong in saying that Nonius here had *monstrosus*). It seems to me more probable that *monstruosus* has sprung from the late form *monstruum*, which occurs in glosses, as in Corp. Gloss. Lat. 5, p. 466; see also

Weyman in Archiv 9, 138. Weyman writes, ib. 5, 192 sq., about the whole class of adjectives in -osus. *Monstrosus* does not occur in classical verse, but Virgil has *montosus* once, and Statius once. *Montuosus* probably followed the analogy of *monstruosus*; if these forms were really classical, we should have to suppose that they were produced by analogy with *portuosus* and the like. As to *morosi*, it is joined with *difficiles* in Orat. 104 and Cato m. 65. (Hirzel's supposition that Cicero was rendering τερατολόγος is improbable.)

autem etiam: the particles come together often, as above, § 16; below, 2, 113; 5 §§ 35, 55, 63.

amatoris 1.: in the course of a description of the *αἰσός* Diog. L. 10, 118 says: σοφὸς οὐκ ἐρασθήσεται: also that ἔρως is not θεόπεμπτος: then συνουσία δέ, φασίν, ὥνησε μὲν οὐδέποτε· ἀγαπητὸν δὲ εἰ μὴ καὶ ἐβλαψεν (from Diogenes). So Hermias in Plat. Phaedr. p. 76 οἱ μὲν γὰρ ὑπέλαβον ἀπλῶς φαῖλον τὸ ἐράν, ὡς Ἐπικούρου. More to the same effect in Usener § 483. One of the works of Epicurus in the list of Diog. L. is entitled περὶ ἔρωτος. For the Stoic view of ἔρως see n. on 3, 68.

1. petulantes...audaces, protervi: Madvig regards all these words as explanatory of *amat. lev. dediti*, and is probably right. *Petulantes* (a far stronger word than the English one derived from it) befits ἔρως: cf. Lucr. 5, 47 quidve superbia spurcicia ac petulantia? Lucr. 6, 4 (L. Müller) nequitia occupat hos, petulantia prodigitasque (*nequitia* is of course a *vox amatoria*); Cicero, Phil. 3, 35 libidinosus petulantibus impuris impudicis; Cael. 50; Font. 40; Phil. 3, 28; Anth. Lat. 1, 362 (Riese) petulans pariterque insanus amator; ib. 358; Ov. Her. 16, 245; Ausonius, Cento defending himself against a charge of indecency, quotes Martial, Pliny, Sulpicia, Appuleius, Plato and Cicero, of whom he says 'in praeceptis Ciceronis exstare severitatem, in epistulis ad Caerelliam subesse petulantiam.' In Cat. 2, 25 pudor and petulantia are contrasted, and the Schol. Gron. explains petulans est ex animo, ex moribus; impudicus ex corpore. Also Corp. Gl. where see also petulantia.

idem...ignavi: Davies objects to the

intemperantes et ignavi, numquam in sententia permanentes, quas ob causas in eorum vita nulla est intercapedo molestiae. Igitur neque stultorum quisquam beatus neque sapientium non beatus. Multoque hoc melius nos veriusque quam Stoici. Illi enim negant esse bonum quicquam nisi nescio quam illam umbram, quod appellant honestum non tam solido quam splendido nomine; virtutem autem nixam hoc honesto nullam requirere voluptatem atque ad beate vivendum se ipsa esse contentam.

10 XIX. Sed possunt haec quadam ratione dici non modo non repugnantibus, verum etiam approbantibus nobis. Sic enim ab Epicuro sapiens semper beatus inducitur: finitas habet cupidi-

12 beatus: om. P et ed. Rom.

same men being called *audaces* and *ignavi*; but the latter word is by no means restricted to the cowardly; it implies here general worthlessness.

1. *numquam... permanentes*: the fool has ἀκρισία καὶ ταραχή (cur. δόξα 22); he cannot attain to εὐστάθεια τῆς γνώμης (cf. εὐσταθεῖν κατὰ διάνοιαν, Schol. on Il. 5, 2) or certa stabilisque sententia (§ 55). Cf. § 40.

2. *intercapedo*: a word rare in Cicero; Fam. 16, 21, 1. *Capudo*, which occurs in Rep. 6, 2 and Parad. 11 has nothing to do with this. Cf. however Corp. Gloss. vi s.v. *capedo* where it is given as inter parietem spatium, etc.

3. *igitur*: Quint. 1, 5, 39 an sit 'igitur' initio sermonis positum, dubitari potest, quia maximos auctores in diversa fuisse opinione video, cum apud alios sit etiam frequens, apud alios numquam reperiatur. Cicero often places the word at the beginning of a sentence or clause. The variations in the use of *igitur* are well illustrated by Wölfflin in Archiv 3, 560. Probably Caesar avoided the word altogether.

sapientium, etc.: see nn. on 5, 80. As Epicurus held the doctrine 'once a σοφός, always a σοφός' (Diog. L. 10, 117) it follows that from the first moment of attaining to wisdom to the end of life, nothing can destroy happiness. Yet the gods alone (Diog. L. 10, 121) have happiness absolute and incapable of increase.

4. *Stoici*: cf. Sen. ep. 85, 18 Epicurus quoque iudicat, cum virtutem habeat, beatum esse, sed ipsam virtutem non satis esse ad beatam vitam,

quia beatam efficiat voluptas quae ex virtute esset, non ipsa virtus.

6. *umbram*, etc.: for the Stoic τὸ καλὸν *honestum* see 3, 14. Torquatus here speaks as though ἀρετή and τὸ καλὸν were distinguished by the Stoics; but that is not so. Meadvig's distinction that the one phrase indicates virtue subjectively, the other virtue objectively considered, is not verifiable.

7. *nomine*: n. on § 42, and on 2, 48.

10. *quadam ratione*: n. on § 32 *ratione*.

12. *sapiens semper beatus*: a short title for the doctrine, resembling the short titles of 'controversiae' in rhetorical writers; e.g. 'pater raptam continens' (Seneca); 'tyrannicida volens dedi' (ps. Quint.).

inducitur: Acad. 2, 99 is quoque qui a vobis sapiens inducitur; there is a reference to *inducere*, 'to bring on the stage.' The ideal picture that follows keeps close to the lines of Epicurus in ep. ad Menoeceum § 133.

finitas... cupiditates: to be wise we must learn 'τὸ πέρασ τῶν ἐπιθυμιῶν' (cur. δ. 10); or 'τοὺς δρους τῶν ἀλγυδόνων καὶ τῶν ἐπιθυμιῶν' (ib. 11); or τὰ πέρατα τοῦ βίου (ib. 21); cf. Lucr. 6, 25 (of Epic.) finem statuit cupiditatis atque timoris; Hor. ep. 1, 2, 56 certum voto pete finem (the whole context of the passage is from Epicurean sources); above § 45 inanium cupiditatum nec modus nec finis. Porphyry. de abst. 1, 53 ἀοριστεῖν γὰρ οὐδαμοῦ δεῖ ἀλλ' ἔχεσθαι δρον καὶ μέτρον. The wise man has αὐτάρκεια: cf. Diog. L. 10, 130: 'πλουσιώτατον αὐτάρκεια πάντων' was a saying of Epic.; see Usener § 476.

tates, negligit mortem, de dis immortalibus sine ullo metu vera sentit, non dubitat, si ita melius sit, migrare de vita. His rebus instructus semper est in voluptate. Neque enim tempus est ullum, quo non plus voluptatum habeat quam dolorum. Nam et praeterita grate meminit et praesentibus ita potitur, ut 5 animadvertat, quanta sint ea quamque iucunda, neque pendet ex futuris, sed exspectat illa, fruitur praesentibus ab eisque vitiis, quae paulo ante collegi, abest plurimum et, cum stultorum vitam cum sua comparat, magna afficitur voluptate; dolores autem si qui incurrunt, numquam vim tantam habent ut non plus habeat 10

63 sapiens, quod gaudeat, quam quod angatur. Optime vero Epicurus, quod exiguum dixit fortunam intervenire sapienti,

1 negligit: nec legit A¹E. 6 quanta: fort. quanti. 6 sint ea: sint in ea A²E; sit in ea A¹B.

1. negligit mortem: §§ 40, 49. There is an interesting passage of Polystratos περί ἀλόγων φρονήσεως (Gomperz in Hermes, II, p. 406), where a Stoic (or Cynic) says, in reference to the quietism of Epicurus, that his school also has that in view. The answer made by the Epicurean is that the Stoic or Cynic gives men no practical aid towards attaining the end.

de dis: Torquatus touches very lightly on the dread of the gods, which fills so large a space in the poem of Lucretius. In § 41 neque divinum numen horreat; so § 51; § 60 superstitio.

2. si ita melius sit: probably sit has sapiens for its subject; cf. the common phrases fui libenter.

migrare de vita: see § 49; and cf. Vat. γνώμαι § 38 οἰκτὸς παντάπασιν ᾧ πολλὰι ἀλτρία εὐλογοὶ εἰς ἐξαγωγὴν βίου (directed against the Stoic εὐλογος ἐξαγωγή, for which see n. on 3, 60, 61). Migrare de occurs here only in Cicero; possibly, in classical Latin, here only and Juv. 15, 152; m. a is also rare (Hor. ep. 2, 1, 187; Juv. 11, 51). Some authors, as Caesar, Tacitus, seem to avoid the word.

3. neque tempus, etc.: in 2, 95 Cicero asks why suicide should be permitted to the σοφός if the maxim 'semper plus voluptatis' holds good; cf. too, 5, 93.

5. grate: n. on § 57. Cf. Hor. ep. 2, 2, 210 natales grate numeras? The σοφός differs from the ordinary man largely in the vividness which past pleasures retain in his recollection; so says Plut. n. p. s. v. 4, 1089 b; this

doctrine gave Carneades an opening for bitter jests (ib. 1089 c).

potitur: so 2, 14 potitur...voluptatibus. The thankful heart which cherishes the memory of past pleasures, also heightens the enjoyment of those which are present. The unthankful man is blind to the true importance of the present.

6. pendet: Porphyry. de abst. 1, 54 οὐκ ἐπ' ἐλπίδι κρεμήσεται μεγίστης ἡδονῆς πίστιν οὐκ ἔχουση; Hor. ep. 1, 18, 110 dubiae spe pendulus horae; Sen. ep. 15, 10, 10 stulta vita... tota in futurum fertur; ep. 22, 13 (Us. § 495); 98, 6 calamitosus est animus futuri anxius. Cf. n. on modo in § 60. Sen. ben. 7, 2, 4.

8. cum stultorum...voluptate: this is the gratification so vividly described by Lucr. 2, 111. In that passage bene munera tenere edita doctrina sapientum templa serena is imitated from Emped. 52 (Mullach) θάρσει καὶ τότε δὴ σοφίης ἐπ' ἀκροισι θόραζε, rather than from Aristophanes, as Munro supposes.

11. quod gaudeat: see n. on § 41 (quod or quo); and for quod angatur n. on 1 § 14.

optime vero...quod: for the elliptic form cf. n. on 2, 41.

12. exiguum, etc.: Epic. κυρ. δόξα 16 βραχεῖα σοφῶ τύχη παρεμπίπτει, τὰ δὲ μέγιστα καὶ κυριώτατα ὁ λογισμὸς διέκλινε καὶ κατὰ τὸν συνεχῆ χρόνον τοῦ βίου διοικεῖ καὶ διοικῆσει: below, 2, 89 fortuna quam Epicurus ait exiguum intervenire sapienti; Tusc. 5, 26 quid melius quam fortunam exiguum intervenire sapienti? It is hardly likely that in these three passages of Cicero the mss. have altered

maximasque ab eo et gravissimas res consilio ipsius et ratione administrari, neque maiorem voluptatem ex infinito tempore aetatis percipi posse, quam ex hoc percipiatur, quod videamus esse finitum. In dialectica autem vestra nullam existimavit esse
5 nec ad melius vivendum nec ad commodius disserendum viam.

3 aetatis: om. E. 3 ex hoc: extra hoc ed. Rom. 5 viam AEP; vim Or. Madv.; om. alii.

exiguam into *exiguam* (as Usener appears to suppose); and Cicero would not have employed the adjective in this adverbial sense had he not found *βραχεία* in the text of Epic. *kur.* δόξ. 16; and this reading is confirmed by Stobaeus, ecl. eth. 8, 28, p. 159, 17 Wachsm. Sen. dial. 2, 15, 4 substitutes an adverb: 'raro, inquit, fortuna sapienti intervenit.' Cicero, Tusc. 3, 49 goes somewhat beyond Epicurus: 'negat (Ep.) ullam in sapientem esse vim fortunae'; cf. however, Epicurus ap. Porphy. ad Marc. p. 209, Nauck σοφία δὲ οὐδαμῶς τύχῃ κοινωνεῖ, Vitruvius 6, pref. 3 Ep.... ait pauca sapientibus fortunam tribuere, quae autem maxima et necessaria sunt, animi mentisque cogitationibus gubernari. Metrodorus expresses himself riotously in a passage most fully quoted in Vat. γνώμαι § 47 προκατελήμμαι σε ὡς τύχῃ καὶ πᾶσαν σὴν παρεῖδουσιν ἐνέφραξα, καὶ οὐτε σοι οὐτε ἄλλῃ οὐδεμιᾷ περιστάσει δώσωμεν ἡμεῖς ἐκδοτούς: ἀλλ' ὅταν ἡμᾶς τὸ χρεῶν ἐξάγῃ, μέγα προσπύσσαντες τῷ ζῆν καὶ τοῖς αὐτῷ κενῶς περιπλεκομένοις ἀιμεν ἐκ τοῦ ζῆν μετὰ καλοῦ παλινος ἐπιφωνοῦντες ὡς εὖ ἡμῖν βεβίωται (see Tusc. 5, 27). The utterances of Democritus on the subject of fortune are similar; cf. fragm. 14 (Mull.) ἀνθρωποι τύχης εἰδωλον ἐπλάσαντο πρόφασιν ἰδὺς ἀβουλήs· βαῖα γὰρ φρόνησι τύχῃ μάχεται, τὰ δὲ πλεῖστα ἐν βίῳ ψυχὴ εὐζύνητος δευδερκέειν κατιθύνει; also fragm. 15 τύχῃ μεγαλόδωρος ἀλλ' ἀβέβαιος, φύσις δὲ αὐτάρκης· διὸ περ νικᾷ τῷ ἥσσοι καὶ βεβαίῳ τὸ μέζον τῆς ἐλπίδος. In truth every ancient ethical system regarded its σοφός as impervious to the attacks of fortune; see e.g. for Diogenes the Cynic, Diog. L. 6 §§ 63, 105 and Stob. Ecl. 2, 348. The inscr. of Oinoanda (Heberdey and Kalinka ap. Bulletin de Corr. Hell. xxi, p. 374): τὸ κεφάλαιον τῆς εὐδαιμονίας ἡ διάθεσις τῆς ἡμεῖς κύριοις is like much in Seneca. Havet, Rev. de Phil. xxiii, 323, says a link is needed between *administrari* and *neque maiorem*, and he thinks the need of it shows some dubious words in the *κνῖα δόξα* (Us. p. 74) to have been represented here.

2. *neque maiorem*, etc.: Epic. ap. Diog. L. 10, 145 ὁ ἀπειρος χρόνος ἰσὴν ἔχει τὴν ἡδονὴν καὶ τὸ πεπερασμένος, ἐάν τις αὐτῇ τὰ πέρατα μετρήσῃ τῷ λογισμῷ: ib. 126 ὥσπερ δὲ σιτίον οὐ τὸ πλεῖον πάντως ἀλλὰ τὸ ἥδιον αἰρεῖται, οὕτω καὶ χρόνον οὐ τὸν μήκιστον ἀλλὰ τὸν ἥδιστον καρπίζεται. The theme is expounded in Ps.-Plut. cons. ad Apoll. 17, 111a, where cf. esp. 'οὐδὲ γὰρ ὁ πλεῖστα κιθαρωδῆσας, ἢ ῥητορεύσας, ἢ κυβερνήσας, ἀλλ' ὁ καλῶς, ἐπαίνειται.' These words resemble a passage of Feuerbach, quoted by Guyau, p. 113, in which he compares life to a sonata, whose perfection is not dependent on duration of time. But the belief that 'in small measures lives may perfect be' is expressed a thousand times in literature. For similar deliverances of the Stoics see 3, 47 n.

3. *percipiatur*: although *dixit* not *dicit* stands above; cf. 2, 86.

4. in dialectica, etc.: Polystratos *περὶ ἀλ. φρον.* (Gomperz in *Hermes* xi, p. 410) calls dialectic παντοδαπὴν λαλίαν οὐθὲν οὐτ' αὐτοῖς οὐτε τοῖς ἀκούουσιν εἰς ἐπανόρθωσιν καὶ τὸ βελτίον ζῆν συντείνουσιν: Diog. L. 10, 31 τὴν διαλεκτικὴν ὡς ~~παρέλκουσαν~~ ἀποδοκιμάζουσιν (sc. οἱ Ἐπικούρειοι): ib. 10, 8 τοὺς διαλεκτικούς πολυφθόρους. Epicurus treated with scorn the Megaric and Stoic logic in fashion in his day, with its apparatus of ὀρισμοί, διαιρέσεις, syllogistic ἀπδείξεις and the rest; see above, § 22; below, 2 §§ 5, 27, 30; 3, 40; Acad. 1, 5. But the Herculanean fragments afford indications that Epicurus laboured to construct a logic of his own on inductive lines. This is especially shown in the treatise of Philodemus entitled 'περὶ σημείων καὶ σημειώσεων': see the comments of Gomperz in *Herkulanische Studien* 1 (1865) and Bahnsch (Lyck, 1879). Diog. L. 10, 27 mentions a work of Epicurus directed against the Megarians. For the *κανὼν* or *κανονικόν* see below.

5. *viam*: I have retained the reading of the mss. because: (1) *vim* at the end of the sentence gives an intolerable rhythm; (2) because I believe, with Boeckel that *viam* represents *εφόδους* in

In physicis plurimum posuit. Ea scientia et verborum vis et natura orationis et consequentium repugnantiumve ratio potest perspicui; omnium autem rerum natura cognita levamur super-

Diog. L. 10, 30 τὸ μὲν οὖν κανονικὸν ἐφ' ὁδοῦ ἐπὶ τὴν πραγματείαν ἔχει. Madvig's remark 'in arte esse viam ad melius vivendum,' is inconclusive, if, as I think, there is nothing unnatural in the expression. 'Via ad melius vivendum' for v. quae fert ad m. v. (§ 46; cf. Off. 1, 100) is good enough; cf. si tanti est Leg. agr. 2, 17; and there is nothing strange in saying that a method is contained within an art; cf. Acad. 2, 96 si ars si ratio si via si vis denique conclusionis valet, eadem est in utroque.

1. in physicis plurimum posuit: § 17 physicis quibus maxime gloriatur.

ea scientia, etc.: Madvig blames Cic. for saying that the rules for practical logic which Epicurus laid down were part of his physical doctrine. But Epic. undoubtedly did profess to reduce the divisions of philosophy from three to two by expunging dialectic: Sen. ep. 89, 11 expressly states this and Sext. Emp. A. M. 7, 14 says that Epicurus was by some reckoned as having made philosophy διμερῆ, like Archelaus; while others held that he only rejected the Stoic dialectic, so that his divisions of philosophy were δυνάμει (practically) τρία. Clearly the κανονικὸν was no independent branch of philosophy, like the Stoic διαλεκτική. And Epicurus did frequently deal with rules of reasoning in his physical treatises, as in the 28th book of the περὶ φυσικῶν (see Scott, p. 62); cf. too the sharp transition in Diog. L. 10, 31 from the rejection of διαλεκτικῇ to the consideration of physics. The fact that Diog. L. 10, 30 asserts the Epicureans to have 'ranged side by side' Canonic and Physics (τὸ κανονικὸν ὁμοῦ τῷ φυσικῷ συν-ἐταττον) and that Seneca ep. 89, 11 speaks of Canonic as 'an appendage' to Physics (*accessio*) cannot justify the blame which Madvig throws upon Cicero. See the passage from the letter of Epic. to Herodotus given below, n. on 2, 6.

verborum vis: Diog. L. 10, 31 τὴν διαλεκτικὴν ὡς παρέλκουσαν ἀποδοκιμάζουσιν ἀρκεῖν γὰρ τοὺς φυσικοὺς χωρεῖν κατὰ τοὺς τῶν πραγμάτων φθόγγους: below, 2, 6 Epicurum...qui crebro dicat diligenter oportere exprimi quae vis subiecta sit vocibus, where see n.

2. natura orationis: Orelli referred these words to the theory taught by Epicurus of the origin of language, which he believed to have arisen φύσει not θέσει (Diog. L. 10, 75; Lucr. 5, 1028 sq.; Origenes and Proclus ap. Usener §§ 334, 5). Madvig contends that the reference is merely to rules of reasoning, but the word natura is against this view. He also declares that Epicurus never dealt at all with natura orationis (in the sense which he gives the phrase) nor with consequentium repugnantiumve ratio; but that Cicero has ignorantly introduced into the κανονικὸν of Epicurus certain elements derived from the Stoic dialectic. This supposition seems to me to be most improbable. Our information concerning the contents of the 'Canonic' is most defective; but it is hardly conceivable that it should not have contained some tests of consistency and inconsistency in reasoning to replace those Stoic tests which Epicurus threw away. As to this see further, 3, 10 n. (see Diog. L. 10, 31 f. on ἀναλογία, etc.). The fact that the phrase consequentium repugnantiumve and similar phrases occur in connexion with the Stoic scheme (as Tusc. 5, 68; Div. 2, 150; Leg. 1, 45; Orat. 16, 115; Brut. 152; De Orat. 2, 166; Top. 53) has no bearing on the matter. The terminology of all schools was in ancient times, as in modern, in many respects alike, and Epicurus was not debarred from employing a particular expression (giving it his own sense) merely because it occurred in the Stoic literature. See above, n. on passage earlier (§ 42), where Madvig made a similar change in an ethical matter.

3. levamur superstitione, etc.: as Madvig remarks, Epicurus valued knowledge of nature not for its own sake, but for its bearing on ethics and happiness. This treatment of nature is conspicuous even in the poem of Lucretius. Cf. κυρ. δόξα 11 εἰ μὴθεν ἡμᾶς αἱ τῶν μετεώρων ὑποψαῖαι ἠνύχλουν καὶ αἱ περὶ θανάτου, μὴ ποτε πρὸς ἡμᾶς ἦ τι, ἔτι τε τὸ μὴ κατανοεῖν τοὺς ὄρους τῶν ἀλλήθδων καὶ τῶν ἐπιθυμιῶν, οὐκ αὖ προσεδέμεθα φυσιολογίας: Vat. γινώμαι § 45 οὐ κόμπου οὐδὲ φωνῆς ἐργαστικός...φυσιολογία παρασκευάζει ἀλλ' ἀφόβους καὶ αὐταρκεῖς καὶ ἐπὶ τοῖς ἰδίοις ἀγαθοῖς οὐκ ἐπὶ τοῖς

stitutione, liberamur mortis metu, non conturbamur ignoratione rerum, e qua ipsa horribiles existunt saepe formidines; denique etiam morati melius erimus, cum didicerimus quid natura desideret. Tum vero, si stabilem scientiam rerum tenebimus, 5 servata illa, quae quasi delapsa de caelo est ad cognitionem omnium, regula, ad quam omnia iudicia rerum diriguntur, numquam ullius oratione victi sententia desistemus. Nisi autem 64 rerum natura perspecta erit, nullo modo poterimus sensuum iudicia defendere. Quicquid porro animo cernimus, id omne 10 oritur a sensibus; qui si omnes veri erunt, ut Epicuri ratio docet, tum denique poterit aliquid cognosci et percipi. Quos qui tollunt

4 scientiam: *sententiam* E. 7 ullius oratione: *illius ratione* E. 11 et percipi: *et recipi* A¹P et ed. Rom.

τῶν πραγμάτων (external advantages) μέγα φρονούντας. The Stoics (who are aimed at in the first words of the last passage) held much the same view as the Epicureans concerning the value of physical inquiries; see 3, 73 n.

1. *ignoratione rerum*: the word *rerum* here corresponds to ἡ τοῦ σύμ-παντος φύσις which (in κυρ. δόξα 12) Epic. says men must know if they are to get quit of terror; so *cognitio rerum*, as in 5, 11. Cf. § 43 (esp. *ignoratione rerum bonarum ac malarum*); Epic. ap. Diog. L. 10, 76-82; ib. 37; ib. 85; ib. 87; below, 4, 11; Lucr. 1, 102-35 (and elsewhere).

2. *e qua ipsa*: 'the very thing from which.'

5. *illa...regula*: the 'περὶ κριτηρίου ἡ κανὼν' of Epicurus (Diog. L. 10, 27), in which the precepts of τὸ κανονικόν were embodied; cf. N.D. 1, 43 illo caelesti Epicuri de regula et iudicio volumine; Sen. ep. 89, 11 de iudicio et regula; Plut. Colot. 1118 α τοὺς διαπετεῖς ἀνέγνω-κας κανόνας. Probably Democritus wrote a book entitled κανόνες; see Hirzel 1, 125 sq. and 135, where the view of Zeller, that Epic. borrowed his Canonic from Aristippus, is rightly rejected. Aristo ap. Diog. L. 10, 14, said that the κανὼν was written 'from the tripod' ('divining-stool') of Nausiphanes. Athen. p. 102 b quotes a passage of the comic dramatist Damoxenus, where a cook speaks: μάγειρον ὅταν ἴδῃς ἀγράμματον | μὴ Δημόκριτον τε πάντα διανεγνώκτα | καὶ τὸν Ἐπικούρου κανόνα, μινθώσας ἄφες.

delapsa de caelo: many illustrations of this phrase are given by Otto in Archiv 3, 211. One is especially reminded of 'de caelo descendit γνῶσις

σεαυτὸν.' Cf. n. on 2, 20 quasi oracula.

6. *omnium*: sc. *hominum* not *rerum* (as Holstein); cf. Lucr. 1, 75 refert nobis quid possit oriri.

7. *oratione*: so in Acad. 2, 8 Cicero says many adopt opinions hastily, *una alicuius oratione capti*. Cf. a denunciation of the Sophists who delude wretched men in the Inscr. of Oinoanda, p. 409.

8. *sensuum iudicia*: cf. Acad. 2, 19. Madvig says 'pugnandum enim erat contra geometras, astronomos, ceteros'; but surely the reference is to the battle waged by the Epicureans against the Sceptics, to which there is much allusion in Acad. 2 and elsewhere.

9. *animo...sensibus*: n. on § 30 de tractis sensibus. Here *sensibus* indicates 'sensations,' not the five senses. For *oritur* cf. Lucr. 4, 483.

10. *omnes veri erunt*: see Acad. 2, 79 sq. with my n.

11. *tum*: 'only then will sure knowledge be possible.' For the union of the two verbs *cognosci* and *percipi* to represent *ἐπιστάσθαι* see my n. on Acad. 2, 23. So below, *cognitione* and *scientia* together = ἐπιστήμη.

quos qui tollunt: 'pinguius aliquanto Torquatus tolli sensus ab Academicis dicit, neque enim sensus tollebant, sed eorum iudicium' (Madvig). But in the controversies between the Dogmatists and the Sceptics, the latter are often said to sweep away the αλσθήσεις by rendering them deceptive. In Sext. Emp. the phrase ἀναρπείν τὰς αλσθήσεις repeatedly occurs; cf. also my n. on Acad. 2, 61 omnibus orbat sensibus; also ib. 103 sensus eripi. Just in the same way the Sceptics were said 'to bereave us of

U. Aug.
Dionys.
N.D. 1. 4.
cf. Homm.,
Locke,
Hant

et nihil posse percipi dicunt, ei remotis sensibus ne id ipsum quidem expedire possunt quod disserunt. Praeterea sublata cognitione et scientia tollitur omnis ratio et vitae degendae et rerum gerendarum. Sic e-~~physicis~~ et fortitudo sumitur contra mortis timorem et constantia contra metum religionis et sedatio 5 animi omnium rerum occultarum ignoracione sublata et moderatio natura cupiditatum generibusque earum explicatis, et, ut modo docui, cognitionis regula et iudicio ab eodem illo constituto veri a falso distinctio traditur.

- 65 XX. Restat locus huic disputationi vel maxime necessarius 10 de amicitia, quam, si voluptas summum sit bonum, affirmatis nullam omnino fore. De qua Epicurus quidem ita dicit, omnium rerum, quas ad beate vivendum sapientia comparaverit, nihil esse maius amicitia, nihil uberius, nihil iucundius. Nec vero hoc oratione solum, sed multo magis vita et factis et moribus com- 15 probavit. Quod quam magnum sit, fictae veterum fabulae declarant, in quibus tam multis tamque variis ab ultima anti- quitate repetitis tria vix amicorum paria reperiuntur, ut ad

1 ei remotis: *ire motis* A¹; *hi remotis* A²P. 6 occultarum: om. E. 8 eodem illo: *ea dein illa* A¹; *eadem illa* A² et cett. omnes; correxit Madvig. 10 disputationi vel: *disputationibus* A¹. 14 iucundius: *iucundus* A. 14 hoc: *hos* A¹E. 15 comprobavit: *comprobatur* E.

the light of day' (*lucem eripere*, Acad. 2, 30).

1. ne id ipsum quidem, etc.: the Epicureans, like the Stoics and other Dogmatists, argued that the Sceptic cuts the ground from under his own reasonings; see especially *Lucr.* 4, 469 sq.; *Epic. κυρ. δόξαι* 23 and 24. Also that Scepticism renders life impossible: there is much to this effect in Cicero's *Academica* and other ancient writings touching on the controversy between Sceptics and Dogmatists. The Cyrenaics, among others, discredited the senses, the result of which is 'μή δύνασθαι ζῆν μηδὲ χρῆσθαι τοῖς πράγμασιν' (*Colotes ap. Plut. c. 24, 1120 d.*).

4. sic...traditur: we have here a recapitulation of the contents of *φυσιο- λογία*, the *κανονικὸν* coming last in the enumeration of items, whereas above it comes first. Madvig remarks on this summary: 'paulo post, ubi ἀνακεφαλαιώσιν fit (*Sic e physicis*, etc.) nihil de hac physicorum laude (i.e. the merit of imparting *κανονικὸν*) dicit sed a fortitudine incipit.' The words *nihil... dicit* contain a strange oversight.

5. sedatio animi: ἀταραξία.

6. rerum occultarum: a constantly recurring phrase for physical phenomena; so below, 4, 18 and 5 §§ 9, 10; also 3, 37 illa quae occulta nobis sunt (see note there); 5, 51 eorum quae naturae obscuritate occultantur.

7. cupiditatum, etc.: cf. n. on § 45, partitio. According to *κυρ. δ. 11* it is *φυσιολογία* which teaches the *δρους τῶν ἐπιθυμιῶν*.

9. veri a falso: n. on Acad. 2, 27.

12. nullam fore: so in 2 §§ 80, 85, where see nn.

Epicurus: *κυρ. δ. 27* ὅν ἡ σοφία παρασκευάζεται εἰς τὴν τοῦ θλου βίον μακαριότητα, πολλὰ μέγιστόν ἐστιν ἡ ~~τῆς~~ *φιλίας κτῆσις*: cf. *Sen. ben. 3, 12*, 2 invenies qui nihil putet esse iucundius, nihil maius quam habere in quo calamitas acquiescat; *Vat. γινῶμαι* § 78 ὁ γενναῖος περὶ σοφίαν καὶ φιλίαν μάλιστα γίγνεται ὧν τὸ μὲν ἐστὶ θνητὸν ἀγαθόν, τὸ δὲ ἀθάνατον; cf. *Sen. ep. 19, 10*.

15. comprobavit: 'proved' *Div. 1, 11*.

16. quod: amicitia. Cf. nn. on 30; 2, 17. fictae...fabulae: a common phrase, as below, 5, 51 and 64.

18. repetitis: 'when conned over' tria paria: Theseus and Pirithous,

Orestem pervenias profectus a Theseo. At vero Epicurus una in domo, et ea quidem angusta, quam magnos quantaque amoris conspiratione consentientes tenuit amicorum greges! Quod fit etiam nunc ab Epicureis. Sed ad rem redeamus; de hominibus 5 dici non necesse est. Tribus igitur modis video esse a nostris 66 de amicitia disputatum. Alii cum eas voluptates, quae ad amicos pertinerent, negarent esse per se ipsas tam expetendas, quam nostras expeteremus, quo loco videtur quibusdam stabilitas

7 ipsas: *ipsos* A¹.

Achilles and Patroclus, Orestes and Pylades; so classed by Lucian Toxar. 10. Cf. Lael. 15 ex omnibus saeculis *vixit* aut quattuor nominantur paria amicorum; where there is a reference to Damon and Phintias, mentioned below, 2, 79 and Off. 3, 45. Plut. de am. mult. 93 e adds a fifth pair, Epaminondas and Pelopidas; and Scipio and Laelius sometimes appear in the same company (Lael. 11.; Val. M. 8, 8, 1); so Charito and Melanippus ap. Ael. var. hist. 2, 4. *Amicorum* is here, as often, for *verorum am.* 'ideal friends'; see *my n.* on Lael. 22. On the rarity of the ideal friend cf. Sen. ben. 6, 33, 3 *amicum*, rem non domibus tantum, sed saeculis raram; Mart. 1, 93, 5 iunctus uterque sacro laudatae foedere vitae | fama quod raro novit, amicus erat. (The passage in Mart. has often been misunderstood.) Hieron. ep. 3 § 6 (Migne) *amicum* qui diu quaeritur, vix invenitur, difficile servatur.

1. una in domo...greges: for a loose use of *domus* cf. Sen. ben. 5, 16, 4; for the extravagance cf. Diog. L. 10, 9 οἷ τε φίλοι τοσοῦτοι τὸ πλῆθος, ὥς μήδ' ἂν πόλεσιν ὅλαις μετρεῖσθαι δύνασθαι: ib. 10 τοὺς φίλους οἱ καὶ πανταχόθεν πρὸς αὐτὸν ἀφικνοῦντο καὶ συνεβίον αὐτῷ ἐν τῇ κήπῳ: Epictet. fragm. 47 ἀντὶ βοῶν ἀγγέλης πειρῶ φίλων ἀγέλας ἐναγελάζεσθαι σου τῇ οἰκίᾳ: Phaedr. 3, 9 *volgare amici nomen sed rara est fides.* | cum parvas aedes sibi fundasset Socrates... | ex populo sic nescio quis, ut fieri solet, | 'quaeso tam angustam talis vir ponis domum?' | 'utinam,' inquit, 'veris hanc amicis impleam!' See Sen. fragm. of De Amic. in Haase, § 97 (p. 436) also *domibus* in Sen. ben. 6, 33, 3. Cic. Orat. 146 doctissimis hominibus referta domus. A touch of bathos is added by the words *et ea quidem angusta*. To obviate this, it has been proposed (but without probability) to understand *domo* as 'sect'; for which sense see Hor. od. 1, 29, 14; Sen.

n. q. 7, 32, 3; ben. 5, 15, 3 philosophorum domo; ep. 29, 11 omnes ab omni domo... Peripatetici Academici Stoici Cynici, Plut. de frat. am. 16, 487 d, 33 admires the affection of Epicurus and his brothers; the close relations of the μεγάλοι were famous. Two-headed busts of Epicurus and Metrodorus were common.

3. fit nunc: there is much testimony to this; below, 2, 81; Acad. 2, 115; Numen, ap. Eus. pr. eu. 14, 5, 1-3. There was no doubt a great deal of literature in the school on the subject of friendship. Thus Colotes wrote πρὸς Πλάτωνος Λύσω (Scott, p. 23), and in the *Herculean* roll no. 1027 (ib. p. 34) we have fragments of a work by Carneiscus, entitled 'Philistas,' where an attack is made on the views of friendship maintained by Praxiphanes, the Peripatetic whose lectures Epicurus was alleged to have attended. Hirzel 1, 165 assumes that Epic. got his ideas about friendship from Theophrastus through this Praxiphanes. There is no probability in this theory. In roll no. 157 (Scott, p. 143 sq.) is an interesting discussion of the question whether the gods need friendship. Cf. Epicurus' polemic against Stilbon, Sen. ep. 9, 1.

6. alii: instead of a second *alii* we have in § 69 sunt autem quidam, followed in § 70 by sunt autem qui dicant. The view first given is that of Epicurus: see 2, 82, 84; Diog. L. 10, 120 καὶ τὴν φιλιαν διὰ τὰς χρείας δεῖν μέντοι προκατάρχεσθαι, καὶ γὰρ τὴν γῆν σπείρομεν συνίστασθαι δὲ αὐτὴν κατὰ κοινωνίαν μεγίσταις ἡδοναῖς ἐκτεπληρωμένην (so Usener § 540): ib. 2, 91 (of Aristippus) τὸ φίλον τῆς χρείας ἕνεκα; Sen. ep. 9, 8; Philod. de vit. 9.

7. tam exp.: sc. nobis. The syntax is a little irregular; to make it strictly correct *tam expeli* would be needed.

8. quo loco: Madvig denies (I do not know why) that the relative refers to what precedes.

evangelica

26

amicitiae vacillare, tumentur tamen eum locum seque facile, ut mihi videtur, expediunt. Vt enim virtutes, de quibus ante dictum est, sic amicitiam negant posse a voluptate discedere. Nam cum solitudo et vita sine amicis insidiarum et metus plena sit, ratio ipsa monet amicitias comparare, quibus partis con- 5 firmatur animus et a spe pariendarum voluptatum seiungi non potest. Atque ut odia invidiae despicationes adversantur voluptatibus, sic amicitiae non modo faultrices fidelissimae, sed etiam effectrices sunt voluptatum tam amicis quam sibi; quibus non solum praesentibus fruuntur, sed etiam spe eriguntur con- 10 sequentis ac posterioris temporis. Quod quia nullo modo sine amicitia firmam et perpetuam iucunditatem vitae tenere possumus neque vero ipsam amicitiam tueri, nisi aequae amicos et nosmet ipsos diligamus, idcirco et hoc ipsum efficitur in amicitia et amicitia

5 monet: *manet* E. 7 ut odia: *odia* A²; *odiā* BE; *udia* A¹. 7 invidiae A²: *invidia* A¹EP. 8 faultrices: *fotrices* Scaliger, Guyet, Davies. 9 effectrices: *efficatrices* E. 13 nisi: *ipsi* AP.

1. *vacillare*: cf. *claudicare* in § 69 and Off. 3, 118 iustitia vacillat vel iacet potius (of the Epicureans); N.D. 1, 107 tota res vacillat et claudicat.

se...expediunt: a military phrase; Liv. 7, 34, 6.

3. *discedere*: 2, 79 si utilitas ab amicitia defecerit; but 82 amicitiam a voluptate non posse divelli.

4. *cum solitudo*, etc.: n. on 2, 84 praesidium amicorum.

5. *amicitias comparare*: so Lael. 60. *confirmatur animus*: 2, 82 cum sine ea (amicitia) tuto et sine metu vivi non posset.

7. *despicationes*: ἀπαξ εἰρημένον. The context resembles closely words of Epicurus, reported by Diog. L. 10, 117 βλαβὰς ἐξ ἀνθρώπων ἢ διὰ μίσους, ἢ διὰ φθόνου ἢ διὰ καταφρόνησιν γίνεσθαι. With *despicationes* cf. 2, 84 contemni non poteris, and Lucr. 3, 65 turpis enim ferme contemptus et acris egestas | semota ab dulci vita stabilique videntur | et quasi iam leti portas cunctarier ante. Hieron. ep. 14, 7 (Migne) ubi honor non est, ibi contemptus est; ubi contemptus, ibi frequens iniuria; ubi autem iniuria, ibi et indignatio; ubi indignatio, ibi quies nulla.

9. *voluptatum*: to be taken both with *faultrices* and *effectrices*. The word *effectrix* occurs only here and Tim. 10. For the genitive cf. n. on 2, 21 (*fautor* not in Cicero's philosophical works).

sibi: 'non sane amicitiiis; sed reflexivum refertur ad latentem personae

agentis notionem, ut sit: *einem selbst*' (Madvig). The same indefinite sense, 'oneself,' recurs below, 2, 78; and many examples are scattered widely in Latin literature. The same indefinite reference attaches to *ipse* and *sums*; in the case of the latter the usage must be distinguished from another whereby the pronoun stands for *eius*, in reference to a subject indicated in the context, and marks the difference between 'his' and 'his own.' So *se* referred to the logical, not grammatical subject of the clause; 2, 2, and often.

10. *spe*: cf. Arist. Eth. N. 9, 4, 5 (1166 a, 24) (of friendship) τῶν πεπραγμένων ἐπιτερεῖς αἱ μνήμαι, καὶ τῶν μελλόντων ἐλπίδες ἀγαθαί: Vat. γνώμαι § 34 οὐχ οὕτως χρεῖαν ἔχομεν τῆς χρεῖας παρὰ τῶν φίλων ὥς τῆς πίστεως τῆς περὶ τῆς χρεῖας: Ib. § 39 οὐθ' ὁ τὴν χρεῖαν ἐπιζητῶν διὰ παντὸς φίλος, οὐθ' ὁ μηδέποτε συνάπτων· ὁ μὲν γὰρ καπηλεύει τῇ χάριτι τὴν ἀμοιβήν, ὁ δὲ ἀποκόπτει τὴν περὶ τοῦ μέλλοντος εὐελπιστίαν.

consequentis...temporis: cf. Tusc. 1, 97.

11. *quod quia*: n. on 4, 10 quod etsi; quod si in § 59. For *quod* continuing a statement see Roby § 2214.

12. *iucunditatem vitae*: although, Epicureanly speaking, 'dia voluptas' is 'dux vitae,' yet the phrase 'voluptas vitae' does not, I think, occur.

tenere...tueri: these two verbs run much together; as below, 2, 11; Off. 2, 23 ad opes tuendas ac tenendas; De Or. 3, 108 tenere tuerique.

cum voluptate conectitur. Nam et laetamur amicorum laetitia
 aequae atque nostra et pariter dolemus angoribus. Quocirca eodem 68
 modo sapiens erit affectus erga amicum quo in se ipsum, quosque
 labores propter suam voluptatem susciperet, eosdem suscipiet
 5 propter amici voluptatem. Quaeque de virtutibus dicta sunt,
 quem ad modum eae semper voluptatibus inhaerent, eadem
 de amicitia dicenda sunt. Praeclare enim Epicurus his paene
 verbis: 'Eadem,' inquit, 'sententia confirmavit animum, ne
 quod aut sempiternum aut diuturnum timeret malum, quae
 10 perspexit in hoc ipso vitae spatio amicitiae praesidium esse
 firmissimum.' Sunt autem quidam Epicurei timidiore paulo 69

2 aequae atque: *aeque ut* P (quod non est Tullianum). 8 sententia BE: *scientia*
 AP alii.

aeque...et: as Madvig remarks, two classes of passages in which *et* follows *aeque* must be distinguished: (1) those in which *et* closely connects two subjects, and *aeque* stands in front of the combination, as Tusc. 2, 62 eosdem labores non esse aequae graves imperatori et militi; below, 4, 66; 3, 70 (*ac*); 3, 61; (2) those in which the *aeque...et* stands between the two things compared, so that the idea of comparison is made conspicuous; so below 4, 62 catuli qui iam dispecturi sunt, caeci aequae et ei qui modo nati. *Aequae atque*, found below, is unusual because *atque* is there not followed by a vowel; *aeque ac* is fairly common; *aeque quam* is avoided by Cicero and Caesar; *aeque ut* is rare, and indeed doubtful; for the text of Plaut. Asin. 838 is not quite certain, and Hor. od. 1, 16, 7 is susceptible of another explanation, but it seems to occur in Plin. ep. 1, 20, 1. *Pariter* is not used by Cicero with *ac*, *atque*, *et*, but either alone or with *cum*, whereas *aeque cum* belongs to archaic Latin. See also n. on 2, 21 similiter et si. Non tantum *ac* in Sen. N.Q. 2, 22, 3.

1. *nam et laetamur*, etc.: Epic. thus arrives at the same point with the non-hedonists, as Arist. Eth. Nic. 9, 4, 5, 1166a πρός δὲ τὸν φίλον ἔχειν ὥσπερ πρὸς ἑαυτὸν: Diog. L. 5, 21 (of Aristotle) ἐρωτηθεὶς πῶς ἂν φίλοι προσφεροίμεθα, ἔφη ὥς ἂν εὐχαίμεθα αὐτοὺς ἡμῖν προσφέρεισθαι: Sen. ep. 95, 63 ut amicum habeat eodem loco quo se. For the Stoic view see n. on 3, 70. For the friend as 'alter ego' see my n. on Lael. 80; and for *laetamur ... laetitia*, 2, 13.

2. *angoribus*: Vat. γινώμαι § 56 ἀλγεί

μὲν ὁ σοφὸς οὐ μᾶλλον στρεβλούμενος (αὐτὸς ἢ ὁρῶν στρεβλούμενον) τὸν φίλον.

quocirca: on this word see Landgraf in Archiv 9, 566 sq.

eodem modo, etc.: Lael. 56 ut eodem modo erga amicum affecti sinus quo erga nosmetipsos.

3. *erga...in*: cf. 1, 17 n. for change of preposition.

quosque labores, etc.: the σοφὸς will even die for his friend, Diog. L. 10, 121: Plut. Colot. 1111 b καὶ τῆς ἡδονῆς ἕνεκα τὴν φίλαν αἰρούμενος (λέγει Ἐπικούρου) ὑπὲρ τῶν φίλων τὰς μεγίστας ἀλγηδόνας ἀναδέχεσθαι. Guyau, p. 135, compares Bentham's opinions on friendship and shows that he, like Epicurus, though basing it on egoistic principles, ends in making the friend an *alter ego*. In one of his letters Epicurus attacked Stilpo for saying that the σοφὸς, being αὐτάρκης, would not need friends. He does need them, 'ut habeat qui sibi aegro adsideat, succurrat in vincula coniecto vel inopi' (Sen. ep. 9 § 8). The same difficulty affected other schools: see Chrysippus quoted by Sen. I.L. § 14 and cf. Plato's *Lysis*, 215 B).

6. *inhaerent*: n. on 1, 25 (referatur). eadem dicenda: Acad. 2, 132; Scott, *Fragm. Herc.* p. 224 τὰ πλεῖω τῶν εἰρημένων ἀντιστρέφουσι.

7. *praeclare Epicurus*: this is κυρ. δ. 28 ἡ αὐτὴ γνώμη θαρρεῖν τε ἐποίησεν ὑπὲρ τοῦ μηθὲν αἰώνιον εἶναι δεῦνόν μηδὲ πολυχρόνιον, καὶ τὴν ἐν αὐτοῖς τοῖς ὠρισμένοις ἀσφάλειαν φιλίας μάλιστα κατεῖδε συντελουμένην.

11. *sunt autem quidam*: cf. § 31. It is quite impossible to determine who, out of the great number of Epicurean writers, are here quoted. Hirzel guesses (1, 170) Siro and Philodemus.

contra vestra convicia, sed tamen satis acuti, qui verentur ne, si amicitiam propter nostram voluptatem expetendam putemus, tota amicitia quasi claudicare videatur. Itaque primos congressus copulationesque et consuetudinum instituendarum voluntates fieri propter voluptatem; cum autem usus progrediens 5 familiaritatem effecerit, tum amorem efflorescere tantum ut, etiam si nulla sit utilitas ex amicitia, tamen ipsi amici propter se ipsos amentur. Etenim si loca, si fana, si urbes, si gymnasia, si campum, si canes, si equos, si ludicra exercendi aut venandi

1 convicia: *convitia* AP. 4 voluntates: om. E. 5 voluptatem: *voluptatum* P.
8 fana: *fama* A. 9 ludicra A¹: *ludicras* A².

1. **convicia**: the statement of Zumpt (on Mur. 21) that this plural only occurs once in Cicero is incorrect; there are four passages besides this, viz. Att. 2, 18, 1; N.D. 2, 20; dom. 16; Cluent. 39; possibly also Balb. 41 (see my n.). The word originally meant, in the singular, the sound of many voices heard together, and this is still the commonest use of it in Cicero, but the singular is sometimes used of repeated clamour by a single person. Only in N.D. 2, 20 is the plural referred to one person.

3. **claudicare**: n. on § 67 vacillare. If the mss. may be trusted, Cicero used *claudicare* in the same metaphorical sense in Brut. 214 (but 227 *claudicabat*); Orator 170 (but 173 *claudicans*); Tusc. 5, 22. The dict. qu. also Caecil. com. 32 and a fragment of Sallust.

itaque: sc. *dicunt*, to be supplied from *verentur*; cf. for Zeugma 2, 88.

primos congressus: Diog. L. 10, 120 δειν μέντοι προκατάρχεσθαι (καὶ γὰρ τὴν γῆν σπείρομεν) συνίστασθαι δὲ αὐτὴν (sc. τὴν φιλιαν) κατὰ κοινωνίαν ἐν ταῖς ἡδοναῖς. On the other hand Lael. 30 quamquam utilitates multae et magnae consecutae sunt, non sunt tamen ab earum spe causae diligendi profectae; see the context, where the Epicurean view is condemned.

6. **amorem**: here substituted for *amicitiam*.

efflorescere: a vox Ciceroniana; Lael. 100 utilitas efflorescit ex amicitia.

7. **ipsi propter se ipsos**: for *ipsi...* *ipsos* see Peterson on Tac. dial. 24. For the context cf. Vat. γινώμαι § 23 πᾶσα φιλία δι' εαυτὴν αἰρετή· ἀρχὴν δὲ εἰληφεν ἀπὸ τῆς ὠφελείας.

8. **si**: for the repetition of the word cf. 2, 73; 5, 69 and *ut* repeated in 5, 67. **gymnasia**: probably regarded here as

a pleasant locality, not as in the Greek fashion as a wrestling-place.

9. **ludicra...venandi**: Madvig interprets 'ludicrae armorum et corporum exercitationes (*ludicram exercitationem* Cicero dicit 1 N.D. 102, 1 De Orat. 147) et venationes, quae ipsa erat ludicra et assimilata exercitatio belli (N.D. 11, 161).' He explains *exercendi* as = *se ex.*; so that the words *ludicra...venandi* practically repeat what was indicated before by *si gymnasia, si campum, si canes, si equos*. This interpretation is not free from difficulties. It is doubtful whether the passages quoted lend any support to it. The word *ludicra* in good Latin seems always to have some reference, direct or indirect, to public exhibitions, and it is doubtful whether *ludicra exercendi, venandi* could be applied to the exercises in the *campus* or the hunting-field. In De Or. 1, 147 *ludicra exercitatio* means 'sham fight'; in N.D. 1, 102, if the whole context be taken into account, it will be seen probably to refer to a public spectacle; and this interpretation is strongly borne out by Fin. 5, 48 q. v. Even *ludicri sermones* in Acad. 2, 6 refers to trivial gossip such as is presented in comedy, and *ars ludicra armorum* in De Or. 2, 84 refers to something different from the mere private practice with weapons for amusement's sake. As to N.D. 2, 161 *beluas nanciscimur venando ut et vescamur eis et exerceamur in venando ad similitudinem bellicae disciplinae* (very like Scott's 'mimicry of noble war'), the passage evidently has no bearing on the use of *ludicra* here. Madvig says Cicero could not use the word *ludi* or *lusus* here, because these sports were not *ludi*, and *lusus* did not befit 'exercitationes non inutiles'; he was therefore driven to *ludicra*. But

Madvig

consuetudine adamare solemus, quanto id in hominum consuetudine facilius fieri potuerit et iustius? Sunt autem qui dicant 70

1 consuetudine: consuetudines AP alii.

ludus and *lusus* are both commonly applied to bodily exercises; as *exercitatione ludoque campestri*, Cael. 11; though *lusus* is not a Ciceronian word. If we turn to the closely parallel passage, 2, 107, where *locus amoenus, ludi, venatio* come together, a suspicion arises that the allusion here is to gladiatorial (or gymnastic) exhibitions, and the contests with wild beasts in the circus. Possibly as above Cicero adds *campus* to the *gymnasia* which he found in his Greek source, so here he has added the distinctly Roman wild-beast show to the Greek athletic competitions to which the Greek source made reference. The phrase *ludicra exercendi* is better fitted to express this, than to bear the meaning which Madvig assigns to it. It has been objected by commentators on Hor. ep. 1, 6, 7 that the plural *ludicra* is unusual, though Livy and others have *ludicrum* for an exhibition; but the objection is not important. There is no reason in the nature of the word why it should not have a plural; and many plurals occur rarely, because they are rarely needed; here the sense is 'the different forms of gymnastic exhibition.' Nor is the fact that elsewhere *ludicra* is only adjectival in Cicero of any great significance; though in consequence of this fact Bake read *ludicrâ ex. aut ven. cons.* Madvig answered, 'nude consuetudine dici debet, nec *ludicra exerc. aut venandi consuetudine* fana, urbes adamantur.' The latter reason is fatal to Guyau's punctuation, whereby the words *exerc. aut v. cons.* are placed between commas. Against the reading *ludicras consuetudines* it is enough to say that the causal ablative *consuetudine* is entirely necessary to the sense. Nor, in determining the reading, must any weight be given to the fact that *hominum* depends on *consuetudine* below; there is no need to suppose original parallelism of construction between *venandi consuetudine* and *hominum c.*

exercendi: here a pure verbal noun = *exercitationis*; so the gerund often is in Cicero; see 3, 34 n. The fact that Cicero uses *exercentes* for *se exercentes* (if it be a fact) in De Or. 2, 287 would have no bearing on the use of the gerund here.

1. *adamare*: the only passage in ex-

tant writings of the best period where any part of this verb is used excepting the perfect and pluperfect tenses. The present occurs in Columella, Pliny the elder, Quintilian, the imperf. sub. in Petronius. As *addiscere* is 'to go on learning more and more,' so *adamare* is 'to go on loving more and more,' the force of *ad* being like that of *πρὸ* in *προδιδάσκειν, προμανθάνειν*. Hence *adamare* is sometimes contrasted with *amare* as a stronger word; so in Sen. ep. 71, 5 and pseud. Quint. 18, 10.

2. *potuerit*: Madvig, dismissing (and properly) the notion that *potuerit* is 'potential' subj., refers to his own masterly essay on the future perfect tense in Vol. II of his *Opuscula*; remarking that *potuerit* here cannot be referred to any of the heads under which he there classified the examples. In the essay itself (p. 94) his first class is thus described 'illi (the writers of the best period) quum de futura actione sic loquuntur ut perfectae effectus et fructus maxime animo obversetur, rarius, sed utuntur tamen futuro exacto'; and as examples of this class Fin. 3, 14 (profecerit) and 4, 41 (effecerit) are quoted. The second class is said to present 'et celeritatis et certae affirmationis significationem'; but some of the examples given exhibit the *affirmatio* without the *celeritas*. It is under this head that Madvig says he would rank *potuerit* here, were the word sound. The only reason which he expressly gives for regarding the word as unsound is curious. He quotes two passages of Cicero 'in quibus affirmatio eminet, simul autem actionis cum altera connexio,' viz. Tusc. 2, 16 quam quis ignominiam non pertulerit...si decreverit? Leg. 3, 43 quis non studiosae rei publicae subvenerit, hac tam praeclara lege laudatus? He then says that there is 'nulla talis connexio' in Fin. 1, 69. But as he has classed without hesitation under this head other examples which certainly present 'nulla talis connexio,' it is hard to understand the force of the objection. Further, there seems to be no obvious reason why *potuerit* should not be ranked with Madvig's first group of instances. In the case of *posse* more than in that of any other verb, good writers love to look to 'perfectae actionis

foedus esse quoddam sapientium ut ne minus amicos quam se ipsos diligant. Quod et posse fieri intellegimus et saepe *evenire* videmus, et perspicuum est nihil ad iucunde vivendum reperiri posse quod coniunctione tali sit aptius. Quibus ex omnibus iudicari potest non modo non impediri rationem amicitiae, si summum bonum in voluptate ponatur, sed sine hoc institutionem omnino amicitiae non posse reperiri.

- 71 XXI. Quapropter si ea, quae dixi, sole ipso illustriora et clariora sunt, si omnia hausta e fonte naturae, si tota oratio nostra omnem sibi fidem sensibus confirmat, id est incorruptis atque integris testibus, si infantes pueri, mutae etiam bestiae paene locuntur magistra ac duce natura nihil esse prosperum nisi voluptatem, nihil asperum nisi dolorem, de quibus neque depravate iudicant neque corrupte, nonne ei maximam gratiam habere debemus, qui hac exaudita quasi voce naturae sic eam

1 quoddam: om. E. 1 amicos: *quidem amicos* A; *quam amicos* E; *amicos quidem quam* ceteri; correxerunt Manutius et Lambinus. 1 se: *sii* A¹. 2 saepe *evenire*: *saepe enim* codd.; supplevit Halm. 9 omnia: sequitur *dixi* in codd., quod aliis suspectum eiecit Madvig. 9 oratio: *cratio* A¹. 10 confirmat: om. E.

effectus et fructus.' There is often a rather sudden change from *potero* to *potuero*; so e.g. in Leg. 2, 18. (Madvig's classification is not altogether satisfactory; under 1 he ranks Caes. B.G. 4, 25 ego certe meum rei publicae atque imperatori officium praestitero; but under 11, Verg. Aen. 9, 281 me nulla dies tam fortibus ausis | dissimilem arguerit. The former passage is supposed to exhibit 'actionis effectus,' the other 'affirmatio'; it would be truer to say that both passages exhibit both ideas. C. F. W. Müller, who decisively rejects *potuerit*, unfortunately assigns no reasons.)

1. foedus: the word is often used of friendship by the poets; see n. on 2, 83. For the context cf. Diog. L. 10, 121 where Epicurus asserts that the σοφός will be ready to die for his friend.

esse: the opposition between *fieri* and *esse* is not uncommon; so e.g. in Fat. 17; Acad. 2, 121; below 2, 83 id est fieri posse et saepe esse factum (referring to this passage).

4. coniunctione tali: i.e. the *foedus*.

5. non...amicitiae: 'that the theory of friendship is not embarrassed.'

6. institutionem: the word, like many nouns in -tio, conveys the idea of possibility; see my nn. on Acad. 2 §§ 45, 51.

8. quapropter: on the usage of this word see Landgraf in Archiv 9, 566.

sole illustriora: so *luce clarius*, Tusc. 1, 90; many parallels are given by Wölfflin in Archiv 6, 455.

9. naturae: there is probably no such direct reference to the φυσιογνωσία of Epicurus as Hirzel, 1, 156, makes out. 10. id est: n. on 1, 72: 2, 6.

11. testibus: n. on 1, 30.

mutae bestiae: Lucr. 5, 1059 pecudes m.; Hor. s. 1, 3, 100, speaking of men before the convention of language, calls them *mutum et turpe pecus*.

12. magistra: Off. 1, 129 natura ipsa magistra ac duce.

prosperum: the sense is hardly 'iucundum et gratum' (Madvig) but *fortunatum* = εὐδαιμονίας μετέχων. So 2, 19 and elsewhere *prosperitas* represents εὐδαιμονία. In 4, 52 and 5, 78 and a good many other places in Cicero, *aspera* are associated with things *contra naturam* or *aliena naturae*. Tac. h. 2, 4 contrasts *prosperum* with *asperum* (applied to the sea); cf. too Sen. ep. 66, 21. Cf. Liv. 7, 4, 6 si quid ex progenie parum prosperum esset (of physical defects).

13. neque depravate: cf. 1, 30 animal...nondum depravatam, with n.

15. exaudita: the verb is always used

firme graviterque comprehenderit, ut omnes bene sanos in viam placatae, tranquillae, quietae, beatae vitae deduceret? Qui quod tibi parum videtur eruditus, ea causa est, quod nullam eruditionem esse duxit nisi quae beatae vitae disciplinam iuaret.

5 An ille tempus aut in poetis evolvendis, ut ego et Triarius te 72 hortatore facimus, consumeret, in quibus nulla solida utilitas omnisque puerilis est delectatio, aut se, ut Plato, in musicis, geometria, numeris, astris contereret, quae et a falsis initiis profecta vera esse non possunt et, si essent vera, nihil afferrent 10 quo iucundius, id est quo melius viveremus, eas ergo artes perse-

2 vitae: om. E.

5 an ille A¹: an si ille A².

6 facimus: facinus A¹

7 est: om. P.

of catching sounds with some effort or difficulty; see my n. on Sull. 33.

voce naturae: so 3, 62; Tusc. 1, 35 and often elsewhere.

1. bene sanos: § 52 n.

viam...vitae: so 5, 15; Off. 1, 118 and often; and in viam deducere (of wanderers), Leg. 1, 41.

2. beatae: this sums up the three preceding adjectives, all of closely allied meaning, and the whole emphasises the fact that happiness consists in the victory over unrest; Sen. dial. 10, 14, 2 cum Epicuro quiescere. Tranquillus and quietus, tranquillitas and quies are often linked together, as in §§ 46, 58; Tim. 9; Clu. 153; Sull. 26; De Orat. 1, 2; Liv. 7, 12, 13; Vell. Pat. 2, 6 and 103.

3. nullam...iuaret: cf. Sext. A.M. 1, 1 (of Epicureans) ὡς τῶν μαθημάτων μὴδὲν συνεργοῦντων πρὸς σοφίας τελείωσιν ἢ ὡς τινες ἐικάζουσι, τοῦτο προκαλύμμα τῆς ἐαυτῶν ἀπαιδευσίας εἶναι νομίζοντες (ἐν πολλοῖς γὰρ ἀμαθῆς Ἐπικούρου ἐλέγχεται). Sextus adds another reason, hatred for the followers of Plato and Aristotle, who were πολυμαθεῖς. Cf. nn. on § 26 and 2, 12.

5. evolvendis: 25 n.

7. puerilis...delectatio: Plut. non posse suaviter vivi, p. 1093 b ἐξωθοῦσι δὲ (οἱ Ἐπικούρειοι) τὰς ἀπὸ τῶν μαθημάτων (ἡδονάς); so in § 25 literature, history and poetry are not allowed by Epicurus to be fitted to convey pleasure directly, although it is not denied that ultimate profit may be obtained from them. Here it is indicated that poetry may reasonably give a child pleasure, but not a man. Plutarch complains, in his attack on Epicurus' view of happiness, p. 1095 c, that even kings are not permitted to refresh themselves with μουσικὰ προβλήματα or κριτικῶν φιλόλογα

ζητήματα at their banquets. Cf. N.D. 1, 72 Epicurus...nil olet ex puerilibus disciplinis, where see Mayor's n.; Heraclit. alleg. Hom. c. 4, ap. Usener § 229 (Ἐπικούρος) ἅπασαν ὁμοῦ ποιητικὴν ὥσπερ δλέθριον μύθων δέλεαρ ἀφοσιούμενος.

se...contereret: se is not put for otium suum (Nägelsbach); cf. De Or. 1, 249 cum in causis et in negotiis et in foro conteramur; Caec. 14 contriti ad Regiam; Sen. ep. 88, 39 aetatem in syllabis conteram?

musicis...astris: these subjects are just those which, in the Republic, Plato lays down for the education of the φύλακες in his ideal state. According to Sext. A.M. 6, 27, the Epicurean calls μουσικὴ ἀσύμφορον and ἀργὸν φιλοῖνον χρημάτων ἀνημελῆ. As to mathematics see § 20 n., and cf. also Philod. Rhet. ed. Sudhaus, p. 244 καταγελάσας μὲν τὴν γεωμετρίαν ἡδονῆς καὶ κόσμον παρασκευαστικὴν εἶναι λέγουσιν· οὐ μὴν ἡμεῖς γε πάντα τὸν βίον εἰς ταύτην κατατίθεσθαι λέγομεν.

8. numeris, astris: put for scientia numerorum, astrorum.

initii: i.e. definitions, axioms and postulates; cf. Proclus in Euclidem, p. 199, 9 Friedl. τῶν δὲ τὰς γεωμετρικὰς μόνas ἀρχὰς ἀνατρέπων προθεμένων, ὥσπερ τῶν Ἐπικουρείων. The Sceptics attacked these ἀρχαί: see Acad. 2, 116, and cf. Lucian, Hermot. 74 γεωμετρία... ἀξιοῦ εἰς ἀπόδειξιν ἀληθείας λέγειν ἀπὸ ψευδοῦς τῆς ἀρχῆς ὁρμωμένη (with the context).

9. nihil...quo: n. on § 41.

10. id est: as in 2 §§ 1, 6, 21, 90, 101.

eas...persequeretur: owing to the length of the sentence, this clause sums up the preceding, so as to show clearly the bimembral form. For ergo see n. on 2, 23.

queretur, vivendi artem tantam tamque operosam et perinde fructuosam relinqueret? Non ergo Epicurus ineruditus, sed ei indocti qui, quae pueros non didicisse turpe est, ea putant usque ad senectutem esse discenda." Quae cum dixisset, Explicavi, inquit, sententiam meam, et eo quidem consilio, tuum iudicium 5 ut cognoscerem, quae mea facultas, ut id meo arbitratu facerem, ante hoc tempus numquam est data.

1 tantam: om. E.
mihi dett.

5 consilio tuom: *consilium* A¹.

6 mea: ita AEP:

1. vivendi artem: § 42 n.

perinde: 'correspondingly'; i.e. the fruit is commensurate with the toil. *Perinde* appears not to occur in writings before Cicero's time, and is generally followed by some comparative particle, as *ut, quam, atque*. Haver, *Rev. de Phil.* xxiii, 331, argues for writing *et* before *operosam*.

2. non...ineruditus: *est* omitted as often with an emphatic word; cf. 1, 3.

3. non didicisse: so Sen. ep. 88, 2 non discere debemus ista (liberalia studia) sed didicisse.

usque ad senectutem: Philodemus (Usener § 49) τῶν ἀκονστῶν ἀγαμαι τοῦ σχολάζειν τοῖς λόγοις ἕως ἀνδρός. Many of the Epicurean works of which fragments exist in the Herculanean rolls dealt with portions of the ἐγκύκλιος

παιδεία: so the well-known treatises of Philodemus about rhetoric, poetry, and music; see Scott's list, no. 831, 862, 1003, 1039, and his comments, pp. 75, 80, 82. In some Epicurean texts we find the γνήσιοι Ἐπικούρειοι contrasted with certain heretics called σοφισταί: these presumably occupied themselves much in the 'pueriles disciplinae'; one, Diogenes, even travelled as lecturer and improvisatore.

4. explicavi: cf. 3, 14; Div. 1, 6.

6. quae mea facultas: Haver *quoniam* for *quae mea* in *Rev. de Phil.* xxiii, 332.

meo arbitratu: 'unrestrictedly.' The exposition of Epicurean ethics ends without mention of important topics, such as the family and the State.

M. TVLLI CICERONIS
DE FINIBVS BONORVM ET MALORVM
AD BRVTVM
LIBER SECVNDVS

I. Hic cum uterque me intueretur seseque ad audiendum ¹ significarent paratos, Primum, inquam, deprecor ne me tamquam philosophum putetis scholam vobis aliquam explicaturum, quod ne in ipsis quidem philosophis magno opere umquam pro-

3 scholam: *scolam* AB. 3 vobis: om. B. 4 magno opere: *magno pere* A;
om. BE. 4 umquam: *numquam* BE. 7 e: *est* E.

1. *cum...intueretur*: Acad. 2, 63 n. *intueretur...significarent*: for the change of number cf. 1 § 16 quorum utrumque audiui cum probarent; Asin. Pollio ap. Fam. 10, 33, 3 ita porro festinavit uterque configere, tamquam nihil peius timerent quam...; Flacc. 104, where *quotus quisque* is followed by three clauses with singular verbs, then one with a plural verb. In no other passage of certain reading in Cicero is *uterque* construed with a plural verb. The construction is common in old Latin and in poetry generally, and sure *exx.* of it are found here and there in the later prose, as Tac. h. 2, 97; 3, 35; 4, 34. Caes. B.C. 2, 6, 5 has *utraque* in apposition to *naves*, with which the number of the verb accords, but there is no *ex.* in Caes. of the construction without such complication, for the reading in B.C. 3, 30, 3 is doubtful; so with the one instance quoted from Sallust, i.e. Cat. 49, 2. Livy is said to have avoided the usage.

2. *tamquam philosophum*: cf. 5, 8 *numquam* putarem me in Academia tamquam philosophum disputaturum.

3. *scholam*: = *quaestionem* below; *Schola* is sometimes local as De Orat. 1, 102; Off. 2, 87; but often used in the wider sense of 'discourse' or 'essay' of any kind (cf. *σχόλιον* Att. 16, 7, 3), Tusc. 1, 7, 8, 113; De Or. 2, 13; sometimes the word means 'a commonplace'

as in Fam. 9, 22, 5 habes scholam Stoicam: *ὁ σοφὸς εὐθυρρημονήσει*. These meanings are said not to attach to *σχολή* in extant Greek writings earlier than Plutarch; the reference in L.S. s. v. to Plato Leg. 820 c is not important.

5. *parens philosophiae*: N.D. 2, 167 Socrates princeps philosophiae; ps. Quint. decl. 268 Socratis, quo velut fonte omnis philosophia manasse creditur; see also my n. on Acad. 1, 18.

6. *qui tum*: Cicero speaks similarly in Acad. 2, 72, the word *σοφιστής* having received a somewhat different application in his time.

7. *quorum e numero*: probably only here (in Cicero) and Acad. 2, 15 for *quo e numero*; so *ex eo numero* not *eorum*, excepting in De Or. 2, 56, where however *eorum* follows *numero* and is succeeded by *qui*. But even where *qui* follows, *ex eo numero* occurs, as Arch. 31; so below, 3, 70 *ex eo genere* quae prosunt. It is probable that De Or. 2, 56 is corrupt. So usually *in eo numero*, but N.D. 1, 43 *venerari* Epicurum et in eorum ipsorum numero, de quibus haec quaestio est, habere debeat, where, however, *deorum* should probably be read, as in §§ 36, 38; cf. too *in illorum numero* once in Vat. 41; but *in quorum numero* I do not remember to have seen in Cicero. Cf. n. on *ex eo genere* in 3, 70.

Leontinus Gorgias in conventu poscere quaestionem, id est iubere dicere qua de re quis vellet audire. Audax negotium, dicerem impudens, nisi hoc institutum postea translatum ad 2 philosophos nostros esset. Sed et illum quem nominavi, et ceteros sophistas, ut e Platone intellegi potest, lusus videmus a 5 Socrate. Is enim percontando atque interrogando elicere solebat eorum opiniones, quibuscum disserebat, ut ad ea, quae ei respondissent, si quid videretur, diceret. Qui mos cum a pos-

1 Leontinus: *leontius* BE.

1 Gorgias in conventu: *gorgius hi conventu* A¹.

1 poscere: *posceret* A¹.

4 philosophos nostros: sic A; *nostros philosophos* BE.

4 esset: *esse* A¹.

5 a: om. B (non E).

6 percontando: *percunctando* A¹BE.

7 el: *hii* A; *hi* B.

1. **Leontinus Gorgias**: 'idem narratur de Orat. 1, 103, III, 129. Res nota e Platonis Gorgia 447 c' (Madvig). In the Hippias of Plato, H. boasts of the number of subjects with which he is familiar. Cicero very frequently sets the epithet of origin in front of the personal name, as here. [*Leontinus Gorgias* in De Or. 1, 103; Cato m. 13 and even where the reverse order is followed in mentioning other people, as Brut. 30, Orator 39; only in Inv. 1, 7 *Gorgias* L.]

in conventu poscere: De Or. 3, 129 in c. p. qua de re quisque vellet audire; Lael. 17 Graecorum consuetudo, ut eis ponatur de quo disputent quamvis subito; Tusc. 3, 7 poposcierum aliquem, qui aderant causam disserendi; ib. 1, 7 ponere iubebam de quo quis audire vellet. For *quaestionem* cf. Fam. 9, 26, 1 *ἡρώα* Dioni philosopho posuisti; Quint. 7, 4, 40 quaestiones positionibus mutantur, where *pos.* is a rendering of *θέσσειν*, as in 2, 10, 15.

id est, etc.: see n. on 1, 71.

2. **audax negotium**: the use of phrases like this, in apposition to the preceding sentence, is common in Cicero; as Lael. §§ 67, 71, 79. See Draeger § 309; and cf. n. on § 75, below. *Impudens* is doubtless accus. not nom., as Cicero would not repeat the nom. unchanged (spite of Madv. in Opusc. 2, 307 on Deiot. 2). The only exx. in Merg. all change nom. to acc.; so Flacc. 13; Lig. 26; Phil. 2, 48 (a little complicated); ib. 67; in none of these are variants given. Deiot. 2 is of uncertain reading; Phil. 14, 22 decreta est...decretam ('decreta maluit Faernus ut est in 2 Oxonn.' Halm). Att. 16, 15, 5 rem...Terentiae where Tyrrell and Purser repeat (after Boot) Madvig's erroneous dictum and want to

read *res*. Fam. 5, 15, 1 amor tuus...non ille quidem mihi ignotus sed tamen gratus et optatus; dicerem 'iucundus' nisi id verbum in omne tempus perdissem. *Verbum* shows that *iucundus* is treated as *caseless*; cf. Mayor on Plin. ep. 3, 2, 2. Add Att. 6, 2, 4; Leg. agr. 2, 95; Orat. §§ 106, 219. On the other hand gen. dat. abl. seem always to be repeated unchanged in Cicero. In Sest. 53 Cod. Salisb. has *diem*, but Harl. with which it generally agrees *die* (and so Par.). Schmalz Antib. s.v. dico treats unaltered nom. as post-class. (so Haacke, Stil. § 83) and refers to his Synt. § 51.

3. **institutum**: prob. participle, not noun, 'when once established'; so § 4 hoc positum.

4. **nostros**: 'Academicos praecipue Cicero significat' (Madvig), no doubt rightly.

5. **lusos**: the meaning required here is rather 'foiled' than 'mocked'; and this would be given by *elusos*; cf. div. Caec. 24 pueris nobilibus quos adhuc elusit; Acad. 2, 123 ipsi illum vicissim eluditis; Leg. 2, 52 hac scientia illam eluditis. A similar change from *lusit* to *elusit* is necessary in De Orat. 2, 222, where see Wilkins' n. (*Ludificari* only in Sext. Rosc. 55; Rep. 3, 9; *ludificare* in Quinct. 54.)

videmus: often employed of what is got by reading; below, 4, 15 and my n. on Acad. 2, 129.

6. **percontando atque interrogando**: *τῷ ἐλέγχειν*: for the tendency of Cicero in rendering from the Greek to translate the same phrase twice, see n. on 1, 38.

elicere: used, in *re simili*, De Or. 1, 158; ib. 3, 79; Acad. 2, 7.

8. **si quid videretur**: Acad. 2, 7.

terioribus non esset retentus, Arcesilas eum revocavit instituitque ut hi qui se audire vellent, non de se quaerent, sed ipsi dicerent quid sentirent; quod cum dixissent, ille contra. Sed eum qui audiebant, quoad poterant, defendebant sententiam suam. Apud 5 ceteros autem philosophos, qui quaesivit aliquid, tacet; quod quidem iam fit etiam in Academia. Vbi enim is qui audire volt, ita dixit: 'Voluptas mihi videtur esse summum bonum,' perpetua oratione contra disputatur, ut facile intellegi possit eos qui aliquid sibi videri dicant, non ipsos in ea sententia esse, sed 10 audire velle contraria. Nos commodius agimus. Non enim solum 3 Torquatus dixit quid sentiret, sed etiam cur. Ego autem arbitror, quamquam admodum delectatus sum eius oratione perpetua, tamen commodius, cum in rebus singulis insistas et intellegas quid quisque concedat, quid abnuat, ex rebus concessis 15 concludi quod velis, et ad exitum perveniri. Cum enim fertur

1 que: om. BE. 2 hi: sic A; hy B. 2 audire: audite A¹; audiri B.
5 quod quidem: quid quidem E; quicquid B. 6 etiam: om. B. 8 eos: ut eos BE.
9 aliquid sibi: sibi aliquid BE. 11 etiam: esse B. 14 abnuat: obnuat B.
14 ex rebus concessis: ex quibus concessit A¹.

1. Arcesilas: cf. 5, 10 and De Or. 3, 67 quem (Arcesilan) ferunt...primum instituisse—quamquam id fuit Socraticum maxime,—non quid ipse sentiret ostendere, sed contra id, quod quisque se sentire dixisset, disputare; Att. 2, 3, 3 Σωκρατικός εἰς ἑκάτερα: Diog. L. 4, 28; August. contra Acad. 3, 39; Lactant. 7, 7 Academici quibus ad omnia respondere propositum est; other passages are quoted in my n. on Acad. 2, 7.

3. ille contra: for the ellipse cf. 1, 3 n.

eum: for position of pronoun cf. Acad. 1, 1.

6. iam...etiam: not uncommon in Cicero and elsewhere; Merguet's Lexika give seven exx. from the speeches and philosophical works.

7. perp. or.: 1, 29 n.

9. in ea sententia esse: this form is widely scattered in Latin; so *versari*, *perseverare in opinione*, *sententia*. *Esse ea* or *eadem sententia*, without *in*, seems to be un-Latin.

10. commodius: although the plan of conducting debate by *perpetua oratio* pitted against short speeches is better than the current plan, yet quick question and answer would be better still (*commodius* below).

13. insistas: Orat. 207 oratio insistat in singulis; but the mss. have in Verr.

2, 3, 172 si singulis insistere velim; and in Acad. 2, 94 illustribus rebus insistis; and in De Or. 3, 33 quibus vestigiis institi and in Cael. 41. It is probable that Cicero used after *insistere* only *in* and *abl.*; see my n. on Wilkins' edition of De Or. 1.1. The dative construction which Wilkins assumes in the passage of De Or. 3 is improbable; if the mss. reading is right *vestigiis* is *abl.*; cf. ib. 3, 6 vestigium in quo institisset. In Tusc. 4, 41 quo loco volt *insistere*, *quo loco* is a mere adverbial phrase, a substitute for *qua* or *ubi*. Similarly if the mss. have preserved the right reading in Verr. 1.1. and Acad. 1.1. and Cael. 1.1. we must suppose the construction to be *abl.* not *dat.* as some of the dictionaries assert; but it is more likely that *in* has fallen out in these passages, and also in the isolated passage of Caes. B.G. 2, 27, 3. It is still harder to believe that Cic. once (De Or. 3, 176) and Caes. once (B.G. 3, 14, 3) employed the accusative after *insistere*. Cicero has not the constr. with *in* and accusative which appears in Caes. B.G. 6, 5, 1.

14. ex rebus concessis: Div. 2, 104 videsne ut ad rem dubiam concessis rebus pervenerit? [C. F. W. Müller inserts *a* before *concessis*.]

15. ad exitum perveniri: of debate in Orat. 116.

quasi torrens oratio, quamvis multa cuiusque modi rapiat, nihil tamen teneas, nihil apprehendas, nusquam orationem rapidam coërceas.

Omnis autem in quaerendo, quae via quadam et ratione habetur, oratio praescribere primum debet ut quibusdam in 5 formulis EA RES AGATUR, ut, inter quos disseritur, conveniat 4 quid sit id de quo disseratur. II. Hoc positum in Phaedro a Platone probavit Epicurus sensitque in omni disputatione id fieri oportere. Sed quod proximum fuit non vidit. Negat enim definiri rem placere, sine quo fieri interdum non potest ut inter eos qui 10 ambigunt conveniat quid sit id de quo agatur, velut in hoc ipso

1 multa: *multi* B. 2 apprehendas: *reprehendas* B. 3 coërceas: *coherceas* A²B. 4 in quaerendo: *inquirendo* B. 4 quae via...ut quibusdam: om. A¹. 4 ratione: *oratione* B. 5 ut: *ne* (ut superscripto) A. 5 in: om. B. 9 proximum: *primum* B. 10 placere...conveniat: om. A¹. 11 agatur...de quo: om. B. 11 velut: *velit* A¹.

1. **torrens**: often of speech in later writers; the word occurs here only in Cicero and apparently not at all in earlier literature in this connexion.

cuiusque modi: so § 22; Off. 1, 139; Verr. 4, 7 (a correction of *cuiuscumodi* in Cod. Reg.).

2. **apprehendas**: this reading is quite supportable; cf. Clu. 52 ut quidquid ego apprehenderam accusator extorquebat e manibus; and *arripiet* in N.D. 2, 162 quod uterque vestrum arripit fortasse ad reprehendendum. If *reprehendas* be the right reading, the word must be used as it is of witnesses who are brought to book by their slips; so Att. 2, 24, 3 maxime in eo Vettius est reprehensus; Flacc. 22 bene testem interrogavit; callide accessit; reprehendit ('quasi evolantem et fugientem,' says Madvig, but that hardly conveys the idea; rather 'ne institutum iter pergeret'); there are other instances of the same use in Cicero's speeches. Madvig quotes some illustrations which are not closely similar, such as Acad. 2, 139 revocat virtus vel potius reprehendit manu. Madvig's argument against *apprehendas* is not cogent: 'aptus est orationis ascensus: nihil teneas, nihil (si non statim tenueris, postea) reprehendas. Contra *apprehendere* prius est quam tenere.'

4. **in quaerendo**, etc.: the phrase *oratio in quaerendo* is condemned by Davies; but the connexion is rather *or. quae habetur in qu.*

5. **praescribere**: Gaius Inst. 4, 130 -7, describes certain *praescriptiones*,

prefaces to the ordinary *formulae*, intended to define more precisely the scope of the actions raised. These *praescriptiones* began with *ea res agatur*; but as Madvig remarks, *agatur* may sometimes have occurred also, or Cicero may have changed the phrase. In Orat. 36 he has *praescriptum aut formulam* (applied metaphorically).

ut: sc. *solet praescribi*; perhaps, however, *est* has fallen out after *formulis*.

6. **inter quos**: n. on 1, 18.

7. **in Phaedro**: i.e. in 237 b περί παντός, ὃ παῖ, μία ἀρχὴ τοῖς μέλλουσι καλῶς βουλευέσθαι· εἰδέναι δὲ περὶ οὗ ἂν ἦ ἡ βουλὴ, ἣ παντὸς ἀμαρτάνει ἀνάγκη. There is much in the other dialogues (especially the 'Theaetetus') touching the necessity of a *ὁμολογία* between disputants as to the meaning of the terms used and the points at issue.

9. **vidit...negat**: the change of tense as in 1, 29; 2, 86 and often. Cf. my n. on Acad. 2, 104 quae cum exposuisset, adiungit.

negat: for this see n. on 1, 22. Madvig blames Cicero 'qui non sentiat ipsam notionem boni in his libris nusquam ab origine sua explicari et certis finibus comprehendi.' However, no formal definition of ἀγαθόν was attempted by Plato or Aristotle, and (as Madvig notes) the attempt when made by the Stoics was not very successful. See n. on 3, 33.

11. **ambigunt**: the verb occurs in the philosophical writings only here and in N.D. 1, 69.

de quo nunc disputamus. Quaerimus enim finem bonorum. Possumusne hoc scire quale sit, nisi contulerimus inter nos, cum finem bonorum dixerimus, quid finis, quid etiam sit ipsum bonum? Atqui haec patefactio quasi rerum operatarum, cum quid 5 quidque sit aperitur, definitio est; qua tu etiam imprudens utebare non numquam. Nam hunc ipsum sive finem sive extremum sive ultimum definiebas id esse quo omnia, quae recte fierent, referrentur, neque id ipsum usquam referretur. Praeclare hoc quidem. Bonum ipsum etiam quid esset, fortasse, si opus 10 fuisset, definisses, aut quod esset natura appetendum, aut quod prodesset, aut quod iuvaret, aut quod liberet modo. Nunc idem, nisi molestum est, quoniam tibi non omnino displicet definire et id facis cum vis, velim definias quid sit voluptas, de quo omnis

2 hoc scire: sic A; *hac scire* BE. 2 quale sit: sic A²; *qualisunt* A¹; *qualis sit* B. 2 cum: *meum* B. 3 etiam: *esse* B, ut in § 3. 4 patefactio: *patefactio* A¹. 5 sit: om. B. 5 definitio: *diffinitio* AB, vulgato errore. 6 extremum sive: om. A¹. 8 referretur: *referentur* B. 9 quidem: *quam* B. 11 liberet modo. Nunc: *liberet*. *Modo nunc* A. 12 definire: *finire* AB.

in hoc ipso: *hoc ipsum* would have been more natural; so below, § 18, nec ea quae docere volt, ulla arte distinguit, ut haec ipsa, quae modo loquebamur.

2. *contulerimus*: indic. though *dixerimus* is subj.

4. *patefactio*: Acad. 2, 44 *patefacturum* (of ἀποδείξις). The noun is ἀπαξιειρημένον in classical literature.

quasi: here, as often, indicates a rendering from the Greek; see my n. on Acad. 1, 17.

cum, etc.: explanatory clauses with cum are pretty common; cum bonum dixerimus above is similar; so Tusc. 5, 29; N.D. 1, 121.

5. *imprudens...non numquam*: Cicero is somewhat forgetful; Torquatus gave his definition of the summum bonum (§§ 29, 42) not as imprudens, but in obedience to the precepts of Epicurus. For finem...extremum...ultimum see n. on 1, 17; for recte fierent 1, 29 n.; for neque id ipsum 1, 42 n.; and for referretur 1, 11, 42.

7. *id esse*: the acc. and inf. constr. after *definire* occurs elsewhere, as Tusc. 5, 27; Rep. 1, 1. For other forms see n. on § 13 and on 3, 33 (cf. n. on idem esse dico in 2, 13).

8. *referretur*: in 1, 29 the second verb is missed out, and perhaps is due to the copyists here.

praeclare: as to ellipse of verb cf. 1, 68 and n. on 1, 3.

9. si opus fuisset: here, as often, opus conveys the idea of advantage, rather than of need: 'if you had seen your advantage in it.' Cf. Fam. 1, 9, 25 legem curiatam consuli ferre opus esse, necesse non esse.

10. quod prodesset: = τὸ ωφέλιμον: see n. on 3, 33.

11. quod liberet: Tusc. 4, 44 nihil quemquam nisi quod lubeat, praeclare facere posse.

12. nisi molestum est: see n. on 1, 28.

definire: in reference to logical definition, finire (which ABE have here) and finitio are post-Ciceronian; common in Quint. Sen.

13. definias: yet later, in speaking of honestum (§ 45) Cicero says that the meaning of the word is rather to be understood from the general opinion of mankind than from definition. Cf. ἀνθρώπος ἐστὶν ὃ πάντες ἴδμεν (Democritus, ap. Mullach, 1, p. 359 § 9). In the same way Cicero, Off. 1, 7 abuses Panaetius for not defining officium (καθήκον) yet gives no precise definition himself. Edd. there have often unnecessarily assumed a lacuna. So Rep. 1, 38 Scipio lays down the need for a definition of res publica, but practically admits that an exact definition is impossible. It is strange that the careful definition of ἡδονή given by Aristotle in Eth. Nic. 10 should (so it appears) have dropped out of mind very soon; but most of Aris-

6 haec quaestio est. Quis, quaeso, inquit, est, qui quid sit voluptas nesciat, aut qui, quo magis id intellegat, definitionem aliquam desideret? Me ipsum esse dicerem, inquam, nisi mihi viderer habere bene cognitam voluptatem et satis firme conceptam animo atque comprehensam. Nunc autem dico ipsum Epicurum 5 nescire et in eo nutare, eumque, qui crebro dicat diligenter oportere exprimi quae vis subiecta sit vocibus, non intellegere interdum quid sonet haec vox voluptatis, id est quae res huic voci subiciatur.

1 Quis, quaeso: *quis quasi* A¹B; *quis quam* A²; corr. Goerenz.

1 inquit:

inquis A¹.

1 voluptas: *voluptatis* A.

4 habere: om. B.

4 bene

cognitam: *cognitam bene* B.

4 conceptam: *acceptam* B.

5 atque: om. B.

6 et: *ut* B. 6 nutare: *mutare* E.

tote's teaching shared the same fate. [Cf. Sidgwick, *Methods of Ethics*, p. 29, ed. 2. 'What definition can we give of "ought," "right," and other terms expressing the same fundamental notion? To this it might be answered that the notion is too elementary to admit of being made clearer by any formal definition.']

voluptas, etc.: 1, 28 voluptate de qua omne certamen est.

1. **quis...quid**: for the repetition of *qu*- here see *exx.* in my n. on Acad. 1, 6, to which add Brut. 210; Liv. 30, 29, 10; Lucr. 6, 389; Ov. Trist. 1, 1, 18 si quis qui quid agam forte requirit erit; De Or. 2, 235.

2. **quo magis**: 1, 41 n.

4. **habere cognitam**: not exactly an equivalent for *cognosse*, since each of the two words retains its force; lit. 'to hold after having thoroughly learned.' Later this construction developed into a mere tense-form, as *habere* tended more and more to become a purely auxiliary verb. Cf. 4, 3; 5, 26 and 76, and Thielmann's excellent articles in Archiv 2, 372 sq. and 509 sq.

firme...comprehensam: 1, 71 *firme...comprenderit*.

6. **in eo**: though the pronoun refers to *voluptatem*; see n. on 1, 20 (*in quo*).

nutare: so N.D. 1, 120 Democritus *nutare videtur in natura deorum*. Cicero has *nature* with the same sense, N.D. 3, 62 (cf. Fam. 7, 10, 2); also Hor. s. 2, 7, 7, and Georges s. v. quotes Varro, Tibull. Sen.

7. **quae vis...vocibus**: so Tusc. 1, 87 *triste est nomen ipsum carendi, quia subicitur haec vis...*

8. **sonet**: the word occurs again with this somewhat strange sense in Off.

3, 83 *honestate igitur dirigenda utilitas est et quidem sic ut haec duo verbo inter se discrepare, re unum sonare*; cf. August. ep. 118 (in Corp. Scr. eccl. 34, p. 666 hoc enim sonat videri tibi, etc.).

id est, etc.: this clause, like many others prefaced by *id est* in Cicero, has been condemned by scholars who have not sufficiently observed that Cicero never uses such a clause to introduce a mere re-statement of what precedes. I have discussed the different applications of these clauses in a n. on Acad. 1, 8. Here, as Madvig points out, Cicero is rendering the phrase τὸ ὑποτεταγμένον τῷ φθόγγῳ used by Epicurus in the letter to Herodotus quoted by Diog. L. 10, 37: πρῶτον μὲν οὖν τὰ ὑποτεταγμένα τοῖς φθόγγῳ, ὥς Ἡρόδοτε, δεῖ εἰληφέναι, ὅπως ἂν τὰ δοξαζόμενα ἢ ἀπορούμενα ἔχωμεν εἰς ταῦτα ἀναγαγόντες ἐπικρίνειν, καὶ μὴ ἄκριτα πάντα ἡμῖν ἢ εἰς ἀπειρον δεικνύουσιν ἢ κενοὺς φθόγγους ἔχωμεν. ἀνάγκη γὰρ τὸ πρῶτον ἐννόημα καθ' ἕκαστον φθόγγον βλέπεσθαι καὶ μηθὲν ἀποδείξεως προσδεῖσθαι, εἰπερ ἔξομεν τὸ ζητούμενον ἢ ἀπορούμενον καὶ δοξαζόμενον ἐφ' ὃ ἀνάξομεν. Here τὰ ὑποτεταγμένα τοῖς φθόγγῳ are the *προλήψεις* or conceptions impressed on the mind by repeated experience (πρόληψις = *μνήμην τοῦ πολλάκις ἐξῶθεν φανέντος*, Diog. L. 10, 33). These *προλήψεις* are the ultimate bases of all reasoning; they are *ἀρχαί*: hence 'μὴ δύνασθαι μηδὲ μὴν δοξάσαι, ἀλλ' οὐδὲ ἐλέγξαι χωρὶς προλήψεως' (Clem. Al. Strom. II, 4, p. 157, 44 Sylb.); so, too, Sext. A.M. 1, 57 and 11, 21; Clc. N.D. 1, 43. Each *πρόληψις* is *ἐναργές*, i.e. carries with it its own evidence of

III. Tum ille ridens: Hoc vero, inquit, optimum, ut is, qui

i inquit: *inquit* A¹, ut in §§ 7, 8, 9.

truth. Diog. L. 10, 33 παντι ουν ονόμεναι τὸ πρῶτως ὑποτεταγμένον ἐναργές ἐστιν... ἐναργεῖς οὖν εἰσιν οἱ προλήψεις: Clem. Al. 1.1. προλήψην δὲ (Ἐπικούρος) ἀποδίδωσιν ἐπιβολὴν ἐπὶ τῇ ἐναργείᾳ καὶ ἐπὶ τὴν ἐναργὴ τοῦ πράγματος ἐπίνοιαν. We have προλήψεις not only of visible and tangible things like ἀνθρώπος, βούς, but of 'god' (N.D. 1, 44), 'pleasure' and qualities such as 'sweetness,' 'whiteness,' etc. (above 1, 30). It is necessary that disputants should agree on the designations of these προλήψεις, but further than that definition could not go (see Usener, fragm. 258). According to Epicurus, it is of no use to attempt to get behind the πρόληψις, and we must assume that it correctly represents its source (τὸ πρᾶγμα).

1. tum ille ridens: so 1, 26; 5, 8; 5, 86, etc. On the reading *tunc* see n. on 1, 28.

hoc vero optimum: see n. on 1, 3 as to the omission of *est*. For *optimum* cf. Suet. Iul. 80 bonum factum: ne quis, etc. In such ironical statements *vero* often appears, as e.g. in Fam. 1, 9, 16 hoc vero probandum, where the reading has been wrongly suspected. Draeger, 2, p. 276 qu. optimum est ut from Gell. praef. 19.

ut, etc.: scholars have differed a good deal in their views concerning the substantive clauses with *ut*. Madvig in his note here criticises Wunder, who had asserted that the *ut* has in them the force of *quo modo*: 'nam illam esse primam huius particulae significationem certum est; illud ambigitur, retineaturne sic interrogativa sententia in hac de qua agitur coniunctione, ut appareat per se et sentiatur, et num haec sit causa hanc particulam potius quam infinitam sententiam ponendi.' He rightly decides that the sense assigned to *ut* requires great forcing in the interpretation of many passages; clauses like *non est veri simile quam* give no support to the theory because here the *quam* clause conveys the notion of degree while the *ut*-clauses in question express merely a fact. Madvig seems to think that clauses expressive of *manner* (*ut* = *quo modo*) easily glide into expressing *result*, and that the *ut* is the sign of this change. But *ut* now has 'non certa prima significatio sed generalis quaedam vis in sententiis vincendis.' If I have understood Madvig rightly, he appears

to hold that the notion of result runs through all these clauses more or less conspicuously. On this ground, he says, Cicero did not say *probo, ut ita sit* but sometimes *qui probari potest ut...* and never *veri simile est ut*, but four times *non veri simile est ut...* He then quotes *integrum est ut* (apparently believing the negative *in-* to have something to do with this case); but *integrum est* is only quoted twice, both times from Cicero, and both times with negative. Madvig then proceeds to illustrate the difference between the *ut*-construction and the infinitive construction by quoting Flacc. 65 quid in Graeco sermone tam tritum atque celebratum est quum, si quis despicatur ducitur, ut Mysorum ultimus dicatur? This means *quid tam vulgo fit?* whereas the infinitive would mean *quid tam notum et saepe dictum est?* [But as in the previous case the thing that happens is a *saying*, this distinction comes to very little.] Of the present passage it is said: 'si sic dixisset Torquatus: *eum...nescire, tantum, merum id esse, simpliciter iudicasset (dass er nicht weiss), nunc simul dubitare se ostendit, fierine possit (dass er nicht wissen sollte).*' The questions of syntax raised would need much space for their treatment. I can only mention here summarily the following points: (1) the idea, which Madvig apparently favours, that the *ut*-clauses sprang in all cases out of parallel infinitive clauses, is hardly tenable. In many instances the infinitive form is the later in literature. Possibly infinitive clauses passed into *ut* clauses in a few simple instances and so a grammatical type arose which spread over far more ground than the infinitive clauses had ever covered. In many instances a parallel infinitive construction is inconceivable, as e.g. in Fin. 3, 48 appropinquat ut videat; (2) it is quite impossible to determine with exactness the notions which the users of the construction may have attached to the *ut* in every instance. Quite possibly, the whole clause was realised together as giving completeness to the verb or phrase which it followed, and there was no conscious differentiation of *ut* in any of the class. But if differences were realised as existent, then it is not probable that *all* the clauses were held to convey the idea of result. Most of them can be easily imagined to do so; but some

finem rerum expetendarum voluptatem esse dicat, id extremum, id ultimum bonorum, id ipsum quid et quale sit, nesciat! Atqui, inquam, aut Epicurus quid sit voluptas, aut omnes mortales qui ubique sunt, nesciunt. Quonam, inquit, modo? Quia voluptatem hanc esse sentiunt omnes, quam sensus accipiens movetur et 5 iucunditate quadam perfunditur. Quid ergo? istam voluptatem, inquit, Epicurus ignorat? Non semper, inquam; nam interdum

2 quid et: *quid ē A; quidem B*; cf. 1 § 29.

4 quonam: *quoniam ABE*.

would more naturally be otherwise conceived, as *eo consilio ut* (1, 72), which may well be the *ut* of purpose. In the construction *concedere ut*, scholars have often seen a reflexion of the concessive *ut* (so Draeger, 11², p. 252); (3) the language is very capricious in the choice between the two forms, where the choice exists: e.g. iubeo + inf., impero + ut. A great deal depends on the idiosyncrasy of the writer; Cicero, for example, favours the *ut*-clause; (4) a distinction in meaning between the two forms is very far from being always traceable. Passages may easily be found, for example, where *sequitur ut* and *sequitur* followed by infinitive obviously convey precisely the same sense (so e.g. in Fat. 28); and in Fin. 5, 78 *concedere ut* and *c.* with inf. follow each other in two successive sentences. But (5) the existence of the two forms did provide a ready means of distinguishing between two senses of the same verb. Thus *dicere* sometimes has the sense 'to order'; very naturally after this sense followed the subjunctive with *ut*. Yet here and there this construction succeeds *dicere* in its ordinary sense; as in Varro r.r. 1, 2, 26 verum dicit ut hoc scripserit. So when *concedere* means 'to give permission' *ut* is employed. (6) The *ut*-constructions were probably at first dependent on verbs of action or desire, not of being; then were introduced expressions like *est consilium ut*, parallel to *volumus ut*; then even *est ut*; then *ut*-clauses purely explanatory, as after *hoc illud*, etc. (7) The greater the separation in the sentence between the governing verb or phrase and the dependent clause, the greater is the probability of the *ut*-clause rather than the infinitive clause where the choice between the two is open. (8) Some of the more noticeable *ut*-clauses in Fin. 1, 7 *inciderit ut*; 1, 8 *usu venit ut* (? only Cicero); 1, 14

adducor ut (see n.); 2, 24 *sequitur ut* (commoner than inf.); 3, 63 *nascitur ut*; 3, 68 *consentaneum est ut*; 4, 80 *exigere ut*; 5, 1 *constituere ut*; 5, 42 *coniti ut* (isolated).

In Caes. where there is *noun + est + ut* the noun seems almost always to have a demonstrative with it.

1. finem ... extremum ... ultimum: three renderings of τέλος: cf. n. on 1, 29 and 42.

2. quid et quale: 1, 29 n.

3. omnes mortales: Cicero has this phrase and *multi mortales*, *nemo mortalis*, frequently, but not *mortalis* or *mortales* alone, like Sallust, Tacitus, and later writers.

omnes...qui ubique sunt: § 13; 4, 74.

5. sentiunt: this verb means not merely to entertain an opinion ('feel' or 'think') but to express it; as often in connexion with debate in the senate; and so (probably) here, and below, 3, 34 and 5, 23. Thus *sentio* and *censeo* come to have precisely the same meaning; cf. N.D. 1, 27 (*sensit* and *censuit* in two consecutive sentences); also Acad. 1, 22 compared with 2, 131. As to Madvig's contention about *esse* see two other *exx.* in Merguet, and the omission with *puto* etc. is common, e.g. Leg. 1, 49.

quam...accipiens: *accipere voluptatem* for *percipere* is unusual; though *a. dolorem* is common enough.

6. perfunditur: so 2, 114 *dulcedine perfusi*, 5, 70 *laetitia perfundi*; N.D. 1, 112; Tusc. 4, 20; iudicio perfundi Rosc. Am. 80 (strange and much debated; see Landgr.).

quid ergo? this form, like *quid igitur*? is always followed by another question; this is not the case with the much less common forms *quid igitur est?* and *quid ergo est?* (n. on 1, 17). While *quid ergo* merely points to a coming question, *quid ergo est?* means, 'what, now, are the facts?'

nimis etiam novit, quippe qui testificetur ne intellegere quidem se posse, ubi sit aut quod sit ullum bonum praeter illud quod cibo et potione et aurium delectatione et ~~obscena~~ voluptate

1 quidem se: om. B. 3 et aurium: et auri B; aut auri E.

1. **nimis etiam:** Acad. 2, 14 isti videntur nimis etiam adfirmare quaedam.

novit: Tusc. 3, 42 quivis ut intellegat quam voluptatem norit Epicurus.

ne intellegere quidem, etc.: this passage from the work of Epicurus *περὶ τέλους* was much quoted. Thus Athen. 12, p. 546 *ε οὐ γὰρ ἔγωγε ἔχω τι νοήσω τάγαθόν, ἀφαιρῶν μὲν τὰς διὰ χυλῶν ἡδονάς, ἀφαιρῶν δὲ τὰς δι' ἀφροδισίων, ἀφαιρῶν δὲ τὰς δι' ἀκροσμάτων, ἀφαιρῶν δὲ καὶ τὰς διὰ μορφῆς κατ' ὅψιν ἡδέας κινήσεις*. Athenaeus quotes the words also with slight differences in two other passages, 7, 280 *a* and 7, 278 *f*. The context is more fully given by Cicero in Tusc. 3, 41-2 than by any other authority. He translates the words of Epicurus beyond the point at which Athenaeus stops, thus: *sive quae aliae voluptates in toto homine gignuntur quolibet sensu; nec vere ita dici potest, mentis laetitia solam esse in bonis*. Laetantem enim mentem ita novi: spe eorum omnium, quae supra dixi, fore ut natura eis potius dolore careat. Then, having omitted something, Cicero goes on 'paulo infra' as he says: *saepe quaevis ex eis qui appellabantur sapientes quid haberent quod in bonis relinquerent, si illa detraxissent, nisi si vellent voces inanis fundere; nihil ab eis potui cognoscere. Qui si virtutes ebullire vellent et sapientias, nihil aliud dicent nisi eam viam qua efficiantur eae voluptates quas supra dixi*. Cicero then declares that what follows is in the same vein and that this whole work of Epicurus is 'cramped with the like expressions and opinions'; further (§ 44), that the work is 'confertus voluptatibus.' [In Fin. 2, 20 it is said that Epic. put forward the same view 'plurimis locis.'] Later (§ 46) there is a criticism from an imaginary Epicurean: 'tu Epicurum existimas ista voluisse aut libidinosas eius fuisse sententias?' To which Cicero answers, 'No; I am aware that many of his utterances are moral and many noble. The question is about his talent, and not about his character; although he rejects the pleasures which he lately eulogised, I shall bear in mind what his view of the supreme good is. He not only gave it the name of pleasure, but made clear what he meant thereby.'

It is certain, therefore, that Epicureans did not accept as correct the description given by Cicero of the exposition by Epicurus of the *summum bonum*. The gulf between his enumeration of the contents of the idea 'pleasure' and his numerous eulogies of a simple and moral life had been bridged somehow; it is hard to say precisely how. It may be noticed that in the passage of the 'Tusculan Disputations,' to the list of particular pleasures is added a vague class 'sive quae aliae voluptates in toto homine gignuntur quolibet sensu.' These pleasures are of a general character and not specially connected with any particular part of the human frame; the words *quolibet sensu* meaning, not 'any one of the five senses,' but 'any kind of perception.' Among this class is included *mentis laetitia*, which is a good, but not the only good. When Epicurus is quoted as saying that mental pleasure consists in the hope of sensual pleasures, the hope that our nature by the acquisition of these may be freed from pain, it must be remembered that, according to him, the amount of sensual pleasure sufficient to liberate from pain is very small, and that when this liberation is once attained, no increase of pleasure is possible. This point is brought forward in the Epicurean interest in connexion with the passage of the *περὶ τέλους*, both in Fin. 2, 10 and in Tusc. 3, 47. This point, then, formed a principal part of the Epicurean defence against such criticism as we have here. Cf. nn. on 1, 55; 2, 92.

2. **ubi sit aut quod sit:** cf. 2, 48 quam aut qualem.

3. **cibo et potione:** 1, 37 *n.*; corresponds to *palato* in § 29.

obscena voluptate: this kind of pleasure was especially denounced by the Epicureans: Diog. L. 10, 118 *ἐρασθήσεσθαι τὸν σοφὸν οὐ δοκεῖ αὐτοῖς... οὐδὲ θεόπεμπτον εἶναι τὸν ἔρωτα* (see the context). They objected to the *ἔρως φιλόσοφος* of Plato, accepted in a modified form by the Stoics; see Tusc. 4, 70; and Diog. L. 7, 129, 130. There is a curious quotation from Chrysippus in Stob. flor. 63, 31 *εἰπόντος τινός, 'οὐκ ἐρασθήσεται ὁ σοφός· μαρτυρεῖ γοῦν Μενέδημος Ἐπικούρου Ἀλεξάνδρος'· τῇ*

capiatur. An haec ab eo non dicuntur? Quasi vero me pudeat, inquit, istorum, aut non possim quem ad modum ea dicantur ostendere! Ego vero non dubito, inquam, quin facile possis, nec est quod te pudeat sapienti assentiri, qui se unus, quod sciam, sapientem profiteri sit ausus. Nam Metrodorum non puto ipsum 5 professum, sed, cum appellaretur ab Epicuro, repudiare tantum beneficium noluisse; septem autem illi non suo, sed populorum 8 suffragio omnium nominati sunt. Verum hoc loco sumo verbis his eandem certe vim voluptatis Epicurum nosse quam ceteros. Omnes enim iucundum motum quo sensus hilaretur, Graece 10 ἡδονήν, Latine voluptatem vocant. Quid est igitur, inquit, quod requiras? Dicam, inquam, et quidem discendi causa magis, quam quo te aut Epicurum reprehensum velim. Ego quoque, inquit, didicerim libentius, si quid attuleris, quam te reprehenderim. Tenesne igitur, inquam, Hieronymus Rhodius quid dicat 15

2 possim: *possunt* A¹. 2 ea: *ista* B. 4 sapienti: *om.* A¹. 7 beneficium: *bene officium* B. 7 noluisse: *voluisse* A¹. 8 verum...vocat: *habet* Nonius p. 121; *verum...voluptatis* idem, p. 396. 8 verbis: *de verbis* Nonius, p. 396. 9 nosse: *ita* AB; *non nosse* Nonius; *notasse* Davies et Orelli. 10 hilaretur: *ita* Nonius; *hiaretur* AB al.; *titillaretur* Bake. 11 ἡδονήν: *hedonem* AB; *hedoneum* codd. Nonii. 12 quidem: *om.* B. 13 reprehensum: *repensum* A¹. 15 inquam: *inquit* B. 15 Hieronymus: *hieronimus* AB. 15 quid: *ita* B; *quod* A.

αὐτῷ, ἔφη, 'χρῆσθαι ἀποδείξει· ἡ γὰρ Ἀλεξίους ὁ ἀνάγωγος καὶ Ἐπίκουρος ὁ ἀναίσθητος καὶ Μενέδemos (ὁ λῆρος) οὗ φασιν, ἐρασθήσεται ἀρα.'

1. quasi vero: Otto quotes Lucr. 6, 971 as the only ex. within his knowledge where *quasi-vero* has any use other than in indignant denial.

2. istorum...ea: n. on 1, 11.

4. unus...sit ausus: Plutarch, non posse suaviter vivi, c. 18, p. 1100 a, puts it more forcibly; he says Epicurus proclaimed himself the only σοφός who had ever lived (some bitter jesting in the context). Cf. Cato m. 43; Epict. Enchir. 46 μηδαμοῦ σεαυτὸν εἰπὴς φιλόσοφον. The title σοφός is often given to Epic. ironically, as by Sext. A.M. 1, 57 and 11, 21. With this passage we may compare what Demosthenes says of Aeschines, De Cor. § 128 ποῦ δὲ παιδείας σοὶ θέμις μνησθῆναι, ἧς τῶν ὡς ἀληθῶς τετυχηκότων οὐδ' ἂν εἰς εἰποι περὶ αὐτοῦ τοιοῦτον οὐδέν, ἀλλὰ κἂν ἐτέρου λέγοντος ἐρυθρίασειε. There is an odd argument in Philod. περὶ θεῶν διαγωγῆς to the effect that the gods must speak Greek, because 'μόνον οἶδαμεν γεγονότας θεοὺς Ἑλληνίδι γλώττῃ χρωμένους.' (Us. § 356*.)

5. Metrodorum: ὁ σοφός M., Plut. n. posse s. vivi, c. 3; Epicuri collega sapientiae, Cic. N.D. 1, 113. Plutarch (cc. 18, 19) ridicules Colotes for having worshipped Epic. as a god, yet without winning the title of σοφός.

6. professum: for the omission of *esse* cf. 1 §§ 13, 38, 39; 2 § 54.

7. septem: they are commonly spoken of simply as 'the seven' just as the Twelve Tables are merely 'the twelve.' See my n. on *Acad.* 2, 118.

8. verbis his: briefly put, as Madvig says, for *cum his verbis utitur*.

9. nosse: much as in § 7, for *agnoscere*; so *noscere causam*, 'to admit a plea,' in Leg. 1, 11; Fam. 4, 4, 1; Att. 11, 7, 5; also *ignorare causam* in Phil. 8, 7, with which *ignorat* in § 7 may be compared. In Prop. 2, 2, 4 *ignoro* (mss.) may perhaps be defended by this usage.

quam ceteros: n. on 1, 14.

10. hilaretur: in Cicero elsewhere only in N.D. 2, 102 and Brut. 44.

15. Hieronymus: a contemporary of Lyco (successor of Strato in the headship of the Peripatetic school), Arcesilas and Timon the Sceptic; Cic. Or. 190 calls him 'Peripateticus nobilis,' but in Fin. 5, 14 questions his title to be called

esse summum bonum, quo putet omnia referri oportere? Teneo, inquit, finem illi videri nihil dolere. Quid? idem iste, inquam, de voluptate quid sentit? Negat esse eam, inquit, propter se 9 expetendam. Aliud igitur esse censet gaudere, aliud non dolere. 5 Et quidem, inquit, vehementer errat; nam, ut paulo ante docui, augendae voluptatis finis est doloris omnis amotio. Non dolere, inquam, istud quam vim habeat, postea videro; aliam vero vim voluptatis esse, aliam nihil dolendi, nisi valde pertinax fueris, concedas necesse est. Atqui reperiēs, inquit, in hoc quidem per- 10 tinacem; dici enim nihil potest verius. Estne, quaeso, inquam, sitienti in bibendo voluptas? Quis istud possit, inquit, negare? —Eademne, quae restincta siti?—Immo alio genere; restincta enim sitis stabilitatem voluptatis habet, illa autem voluptas ipsius restinctionis in motu est. Cur igitur, inquam, res tam 15 dissimiles eodem nomine appellas? Quid paulo ante, inquit, 10

1 summum bonum: *bonum summum* B. 3 quid: om. B. 5 et quidem: *equidem* B. 7 aliam...necesse est: om. B. 11 istud: *ita* A; *ista* B. 11 possit, inquit: *ita* A; *inquit, possit* B al.; *inquit* om. E. 12 eademne: *ita* A²; *eademne* A¹; *eedem ne* B. 12 siti: *enim sitis* B¹; *enim siti* B². 13 Post habet A add inquit: om. BE. 15 dissimiles: *difficiles* A¹. 15 quid: *quia* B.

a Peripatetic. He seems to have been a voluminous writer, but only the titles of some of his works have been preserved, and the only tenet definitely attributed to him is this doctrine of *ἀσχεσία* = *indolentia* (§ 19) = *vacuitas doloris* (5, 14; cf. 5, 73) = *vacare omni molestia* (Acad. 2, 131, 138). Hoyer, de Ant. Asc. init., calls the rendering *vacuitas doloris* 'in-ep̄ta'; apparently thinking of *dolor* as only bodily pain.

3. *propter se*: yet it might have (like virtue in the Stoic system) an indirect value as conducing to peace. But, judging from the tone of the references elsewhere to the doctrine of Hieronymus, it seems possible that Cicero or his authority has erred in introducing these words.

5. *et quidem*: n. on 1, 35.

paulo ante: 1, 37 f., where see nn.

6. *amotio*: used in 1, 37; elsewhere only in late literature. Similarly *commotio*, *permotio*, *remotio*, are nearly confined to Cicero and late writers; the nouns for *demoveo*, *dimoveo*, *submoveo* are wanting.

non dolere istud: n. on 1, 1 totum hoc philosophari.

7. *videro*: cf. 1, 35.

8. *valde*: see F. Abbott in Archiv 9, 462.

pertinax: the word always conveys

blame = 'obstinate'; cf. my n. on Acad. 1, 44.

11. *istud*: Madvig says of the reading *ista*, 'non secutus sum quod hic necessario ad unam illam rem de qua quaesitum erat, refertur pronomen.' But actual usage does not follow so strict a rule. Both in Greek and in Latin neuter pronouns in the plural are often used in reference to *una res*. Cf. for ex. *ista* followed by *istud* in Tusc. 1, 12.

12. *eademne*: for *inquam* omitted see n. on 2, 17

alio genere: Madvig is right in saying that *voluptas est ei* is to be understood; while *alio genere* approaches the sense of *alio modo*. In the later Latin *genere* becomes almost indistinguishable from *modo*, as e.g. Amm. Marc. 31, 5, 10 qui (numerus) comprehendi nullo genere potuit.

13. *stabilitatem...in motu*: n. on 1, 37 solam; for the phrase *καταστηματική ἡδονή* in Epicurus; he also spoke of *εὐσταθὲς σαρκὸς κατάστημα* and *εὐστάθεια* (Usener, fragment 68).

habet: 1, 42 n. The position of *inquit*, placed after this by some mss., is intolerable.

14. *restinctionis*: apparently *ἀπαξ εἰρημένον*.

15. paulo ante: 1, 38.

dixerim, nonne meministi, cum omnis dolor detractus esset, variari, non augeri voluptatem? Memini vero, inquam. Sed tu istuc dixisti bene Latine, parum plane. Varietas enim Latinum verbum est, idque proprie quidem in disparibus coloribus dicitur, sed transfertur in multa disparia: varium poema, varia oratio, 5 varii mores, varia fortuna, voluptas etiam varia dici solet, cum percipitur e multis dissimilibus rebus dissimilis efficientibus voluptates. Eam si varietatem diceres, intellegerem, ut etiam non dicente te intellego; ista varietas quae sit non satis perspicio, quod ais, cum dolore careamus, tum in summa voluptate nos 10

3. dixisti: codd. dett.; dixti codd. meliores: de forma confert Baiterus Caec. 82, Att. 5, 9, 2 (ubi Med. exhibet *rescripti*). Vide Comm. 3 plane: *plene* A¹.

4 coloribus: *caloribus* B. 5 poema: *pena* A¹. 7 dissimilis: ita A; *dissimiles* B al. 7 efficientibus: *efficientes* B.

1. *nonne*: for the late position of this word in the sentence see my n. on Acad. 2, 86. Madvig favours the conjecture of Bremi, *non* for *nonne*, thinking the meaning to be *oblitusne es*? But surely *nonne* here, as usual, looks forward to an affirmative answer: 'surely you remember.'

2. *variari*: see n. on 1, 38.

memini vero: cf. Tusc. 1, 81 *oblitive sumus? ... ego vero memineram*.

3. *dixisti*: Madvig says of *dixti* 'nolui delere, quod fieri potest ut ipse Cicero scripserit; etsi si is ea syncopa in loquendo et scribendo usus est, aut constanter id fecit aut saltem saepius quam tribus quattuorve locis (hic et III, N.D. 23, et ad Att. v, 9, 2; XIII, 32, 3).' It appears to me immeasurably more probable that the copyists should have introduced these forms here and there than that Cicero should have used the abnormal form in a very few instances out of a vast number. C. F. W. Müller expresses himself in the same terms with regard to the form *decesse* for *decessisse*, retained in Fam. 7, 1, 2 by Mendelssohn, who has a fondness for archaic and poetic forms. Thus in Fam. 8, 16, 1 he writes *perscriptisti neque*, where Med. has *perscripsit* without *neque*; and a better copy of the same letter, preserved in Att. 10, 9 a, presents *perscripsisti neque*. In the same letter he prefers to alter *praedixi* of Med. into *praedixie*, rather than to accept *praedixisse* from the better source; but rejects *successes* (mss. *successa*) in Fam. 16, 21, 2 (Schwabe). Bücheler's conjecture *perscripti* for *perscripsit* in Qu. F. 3, 5, 3, fails on the score of sense. So far as Cicero's text

is concerned, the worse the sources are, the more of these forms are found, as a rule. So, for example, *dixti* is found in inferior *codices* of Div. 2, 66, and the Schol. Bob. in quoting Sest. 28 gives *dixet* for *dixisset*. In Balb. 16 one of the better mss., P, has *extinxet*, but Gembl. *extinxisset*. The Med. of Att. 5, 9, 2 has *rescripti* (Lehmann *recepisti*, with probability). Curiously Quint. 9, 3, 22 quotes Caec. 82 for *dixti*, though our mss. of the original have *dixisti*. In many mss. the tendency to drop syllables in the middle of words and the opposite tendency to insert syllables are both very pronounced; for the former see exx. in C. F. W. Müller's n. on Fam. 1, 7, 9 [Neue, II², 535 sq.].

5. *transfertur*: here in the technical sense, like μεταφέρειν, μεταφορά; for this and *proprie* cf. Orat. 94, 134; De Or. 3, 149.

7. *efficientibus*: n. on 1, 42; 1, 46.

9. *non dicente*: *me indiciente*, which I. F. Gronovius desired to read here, is a rare expression, probably occurring (in Classical Latin) only in Ter. Ad. 507 and Liv. 22, 39, 2. Cicero has *insperans*, *insciens*, *insipiens*, *intemperans*. *In cogitans* is confined to Ter. Phorm. 155. Few of this class of compounds are really common in the classical period, inconstans, insipiens, infans, inficiens (Varro)—in-frequens; ?ingens; innocens; inoboediens (Eccl.); inobsequens (Sen.); inobservans (Pall.); inolens (Lucr. 2, 850); inopinans (Caes.); insons; intolerans (Liv.).

10. *quod ais*: 'dixit paulo brevius, hac sententia: quae in eo posita sit quod, ut ais,—in summa voluptate simus, etc.'

esse, cum autem vescamur eis rebus, quae dulcem motum afferant sensibus, tum esse in motu voluptatem, quae faciat varietatem voluptatum, sed non augeri illam non dolendi voluptatem, quam cur voluptatem appelles nescio.

- 5 IV. An potest, inquit ille, quicquam esse suavius quam nihil 11 dolere? Immo sit sane nihil melius, inquam (nondum enim id quaero), num propterea idem voluptas est quod, ut ita dicam, indolentia? Plane idem, inquit, et maxima quidem, qua fieri nulla maior potest. Quid dubitas igitur, inquam, summo bono

1 cum autem: *tunc autem* B. 2 afferant: *afferunt* B. 2 quae: *que* A; 'In BE est incertum compendium' Baiter; *qui* Davisius. 5 inquit ille: sic A; *ille inquit* B. 7 propterea: *praeterea* B. 8 idem: ita A; *quidem* B; om. E. 9 inquam: *inquit* B.

(Madvig). The explanation appears to be needlessly complex. The use of *quod* here is not essentially different from its employment below, 2, 36 (and in many similar passages): 'nam quod ait sensibus ipsis iudicari voluptatem bonum esse...plus tribuit sensibus quam nobis leges permittunt.' In the present passage the order of the clauses is inverted merely because the statement of the case, introduced by *quod*, is so lengthy.

1. *vescamur*: used in the same wide sense (=frui) below, 5, 57 paratissimis vesci voluptatibus. The usage is archaic; Ribbeck's dramatic fragments give six or seven instances; and Lucr. 5, 72 has *vesci loquella*. But *vesci vitalibus auris* (Lucr. Virg.) is different, the idea there being that the air nourishes life; cf. Soph. Ajax 559 *τέως δὲ κοῦφοις πνεύμασιν βόσκου νέαν ψυχὴν ἀτάλλων*.

dulcem motum: cf. *iucundus motus*, 1, 39; 2, 8; 2, 75; Tusc. 3, 41 suavis motiones.

2. *quae faciat*: cf. 2, 75 nomen imponis (voluptati) in motu ut sit et faciat aliquam varietatem. Madvig argues that the cause of the *varietas* lies in the *motus* not in the *voluptas* and that the parallel with 2, 75 does not hold because 'nec in unam notionem coniungi potest in motu voluptatem ut in motu divellatur a verbo esse, intelligaturque ἡ ἐν κινήσει, et additur voluptatum.' These reasons have no cogency; *esse in motu* here and *in motu ut sit* in 2, 75 are strictly comparable; while there is nothing surprising in the fact that *voluptas* is said *facere varietatem voluptatum* (cf. n. on 1, 38). The *varietas* that is produced is *varietas voluptatum* and nothing else, so that the

insertion or omission of the word *voluptatum* is immaterial.

5. *inquit*: in Cicero (and indeed in Latin generally) where the subject of *inquit* precedes the verb, it is regularly separated from the verb by one or more words. There are five passages in the De Or. which conflict with the rule; viz. 1, 149; 2, 31; 3, 47, 90, 190; but, as Madvig remarks, the codices are not of much authority. In Div. 1, 8 *ille inquit* is given by the better codd.; also in Varro r.r. 3, 17, 8. Liv. 8, 7, 5 has *Manlius inquit*; Varro r.r. 1, 22, 3 Stolo inquit, but as immediately afterwards (1, 23, 7) we have Stolo without *inquit*, the verb may be interpolated. Madvig's reason for omitting *ille*, viz. that in the whole of this conversation, from § 6 to § 17, the pronoun is only added twice, once at the beginning in § 6 and once at the end, in § 17, is insufficient. The pronoun is often inserted where it is not strictly needed, for lucidity, as e.g. in Caes. B.G. 7, 38, 6: Aedui...obsecrant ut sibi consulat. 'Quasi vero,' inquit ille, 'consili sit res.'

6. *nondum id quaero*: so in postponing a point, Caec. 34 nondum de iure nostrae possessionis loquor.

8. *indolentia*: the words *ut ita dicam* indicate the word to be an unfamiliar rendering of *ἀοχλησία* or *ἀπάθεια* or *ἀπονία*, so Tusc. 3, 12 nescio quam indolentiam; but without apology in Off. 3, 12; Tusc. 5, 85. Seneca follows Cicero in his use of the term. It is incredible that Cicero should have anywhere written *indoloria* as is asserted by Sid. Apoll. in the epistle prefixed to carm. 14. See Wölfflin, 'Substantiva mit in privativum,' in Archiv, 4, 410.

a te ita constituto, ut id totum in non dolendo sit, id tenere unum,
 12 id tueri, id defendere? Quid enim necesse est, tamquam mere-
 tricem in matronarum coetum, sic voluptatem in virtutum con-
 cilium adducere? Invidiosum nomen est, infame, suspectum.
 Itaque hoc frequenter dici solet a vobis, non intellegere nos quam 5
 dicat Epicurus voluptatem. Quod quidem mihi si quando
 dictum est (est autem dictum non parum saepe), etsi satis clemens
 sum in disputando, tamen interdum soleo subirasci. Egone non
 intellego quid sit ἡδονή Graece, Latine voluptas? utram tandem
 linguam nescio? deinde qui fit ut ego nesciam, sciant omnes, 10
 quicumque Epicurei esse voluerunt? Quod vestri quidem vel
 optime disputant, nihil opus esse eum, philosophus qui futurus
 sit, scire litteras. Itaque ut maiores nostri ab aratro adduxerunt
 Cincinnatum illum, ut dictator esset, sic vos de pagis omnibus
 colligitis bonos illos quidem viros, sed certe non pereruditos. 15
 13 Ergo illi intellegunt quid Epicurus dicat, ego non intellego? Vt

1 ita: om. B. 5 quam: quid B. 8 soleo: solet A¹. 9 ἡδονή: haedonae
 A; hedone B. 10 linguam: linguam A¹. 10 qui fit: qui sit B. 10 nesciam:
 om. B. 11 voluerunt: sic A; voluerint B. 11 vestri: nostri B. 12 opus esse:
 esse opus B. 12 eum philosophus qui futurus sit: ita A; eum qui futurus sit
 philosophus B. 14 pagis: plagis AB al.; corr. Cod. 1 Eliensis Turnebus.
 15 pereruditos: eruditos A¹. 16 intellegunt: intelligant B. 16 quid: quod B.

7. clemens: this word and its cog-
 nates (especially in the older Latin) are
 often applied to placidity of temper; so
 Lucr. 3, 311 proclivius hic iras decurrit
 ad acris, | ille metu citius paulo temp-
 tetur, at ille | tertius accipiat quaedam
 clementius aequo.

8. subirasci: like many words com-
 pounded with *sub* this is almost confined
 to Cicero's writings.

11. voluerunt: the subjunctive is not
 a necessity here, as Madvig seems to
 think; see note on 1, 43; 2, 15.

quod vestri: 'pronomen quod cum
 Cicero rettulisset ad id, quod involutum
 erat in illis: *sciant, quicumque...voluerint*
 (ut voluntas sufficiat, nihil opus sit dis-
 cere) addidit epexegetin, explicatius idem
 subiungens, *nihil opus esse*, etc. notissima
 figura (ad Fam. XIII, 40: *si ulla mea*
apud te commendatio valuit, quod scio
multas plurimum valuisse') (Madvig).

13. scire litteras: here *litteras* =
μαθήματα: cf. Sext. A. M. 1, 1 ὡς τῶν
μαθημάτων μηδὲν συνεργοῦντων πρὸς
σοφίας τελεωσιν (of the Epicureans);
 there seems to be an allusion to this
 doctrine in Philod. rhet. ed. Sudhaus,
 1. p. 141, l. 22 ἀγράμματοι, φησὶν Ἐπι-
 κουρος, ἄνθρωποι, καὶ ἀγροίκους φησὶν

Ἐμμαρχος. Although *μαθήματα* were
 needless, γράμματα were necessary;
 Sext. A. M. 1, 49 ἐν οἷς θετέον καὶ τὸν
 Ἐπικούρου, εἰ καὶ δοκεῖ τοῖς ἀπὸ τῶν
μαθημάτων διεχθρᾶνειν. ἐν γοῦν τῇ
Περὶ δῶρων καὶ χάριτος ἱκανῶς περὶ αὐτῶν
διδάσκειν ὅτι ἀναγκαῖον ἔστι τοῖς σοφοῖς
μανθάνειν γράμματα. Also Lactant.
 3, 25, 6-7 (after condemning Cicero's
 words in Tusc. 2, 4 est philosophia
 paucis contenta iudiciis, multitudi-
 nem consulto ipsa fugiens) says: maxi-
 mum argumentum est philosophiam
 neque ad sapientiam tendere, neque
 ipsam sapientiam esse, quod mysterium
 eius barba tantum celebratur et pallio.
 Senserunt hoc adeo Stolz, qui et servis
 et mulieribus philosophandum esse dixe-
 runt, Epicurus quoque, qui rudes om-
 nium litterarum ad philosophiam invitat.
 Sen. ep. 88, 32 admits that a man
 ignorant of *studia liberalia* may become
sapiens, but not one *qui litteras nescit*.

ab aratro...de pagis: 1, 14, 17 n. The
 ms. reading *plagis* is a poetical word not
 found in Cic. It occurs in Liv. 9, 41, 15.

15. illos quidem...sed: 4, 43 n.

pereruditos: a rare word; cf. Att.
 4, 15, 2.

16. ego non intellego: in sentences of

scias me intellegere, primum idem esse dico voluptatem, quod ille ἡδονήν. Et quidem saepe quaerimus verbum Latinum par Graeco, et quod idem valeat; hic nihil fuit quod quaereremus. Nullum inveniri verbum potest quod magis idem declaret Latine 5 quod Graece, quam declarat voluptas. Huic verbo omnes,

1 esse: ego conl. Madvig. 2 ἡδονήν: hedonem AB. 2 et quidem: equidem B.
2 quaerimus: quaeremus A¹. 5 quod: quam B.

this kind Cicero generally repeats the verb, as here, or substitutes *item* for it; rarely does *non* end the sentence without a verb and without *item*. In the colloquial style this may be tolerated, as in Att. 14, 12, 2 Octavius, quem quidem sui Caesarem salutabant, Philip- pus non (as *itaque* follows, many edd. think *item* has fallen out); ib. 16, 9 Varroni quidem displicet consilium pueri, mihi non; Att. 6, 1, 6 quod si cuiquam, huic tamen non (where the verb is left to be understood in the first clause); Sen. Rh. contr. 10, 5, 16 ille servos alii emptori potest esse, Atheni- ensi non. *Non* rarely ends a clause or sentence in other connexions, excepting where it means 'no' in answer to a question; see Draeger § 84; add to his exx. Fam. 4, 9, 3; Verr. act. pr. 20 and 2, 2, 106; S. Rosc. 54; Q. Rosc. 41; Ad Herenn. 4, 33; Hor. s. 2, 3, 264; Virg. Ecl. 3, 2; Sen. Rh. 7, 4, 5; ib. 7, 8, 2. A curious passage is Brut. 255 hanc gloriam testimoniumque Caesaris tuae quidem supplicationi non, sed triumphis multorum antepono; the *non* there has been changed by Weidner and others to *minus*, but is no stranger than e.g. *non* in Att. 8, 3, 5 eam (fugam) si nunc sequor, quoniam? cum illo non; Ad Herenn. 3, 33 aegrotum in lecto cubantem faciemus ipsum illum de quo agetur, si formam eius detinebimus; si eum non, at aliquem aegrotum non de minimo loco sumemus; Varro r. r. 1, 9, 7 quae sit idonea terra ad colendum aut non; ib. 3, 11, 1 locum eligere oportet palustrem; si id non...

1. **primum**: *de* *deinde* follows; so in i, §§ 17, 29 and often.

idem esse dico voluptatem: Madvig condemns *esse*: 'neque enim de re (*esse*) agitur, quid sit et in quo posita voluptas, sed de nomine, disputaturusque Cicero de vi ac notione rei primum dicit, pro Graeco Epicuri nomine se Latinum substituere, quod idem significet: "Quam rem ille ἡδονήν appellat, eandem ego voluptatem."' But Cicero undoubtedly

did sometimes insert *esse* even in pas- sages where there was only a question of naming something; so Acad. 1, 28 illa vis quam qualitatem esse diximus; below, 2, 77 voluptas...quam in motu esse dicitis; 3, 22 illa quae officia esse dixi; 5, 18; N.D. 2, 105 dicitur esse polus (translation from Aratus) also altera (sc. stella) dicitur esse Helice; ib. 109 Arctophylax, volgo qui dicitur esse Bootes; Tusc. 2, 44 non satis intellego quid dicas summum esse, quid breve (compared with § 45 quid summum dicat in dolore, quid breve in tempore). C. F. W. Müller compares ὁνομαζέσθαι εἶναι. As to many other passages there may be doubt, as 4, 31 and 5, 20 rebus eis quas primas secundum naturam esse diximus. This may mean 'those objects which we have asserted to be the first that accord with nature' and not 'those objects which we have described as the first that accord with nature'; but when we compare 5, 18 eis quae prima secundum naturam nominant, the second meaning becomes probable [*in motu ut sit* in 2, 75 is comparable with *esse* here; cf. *definiebamus esse*, above, 2, 5].

2. **et quidem**: i, 15; i, 35.

par...valeat: for the tautology cf. i, 55 praesens et quod adest (with note there); Acad. 2, 32 quod sit eorum consilium aut quid velint; ib. 2, 66 errem et vager.

4. **nullum...Graece**: 'aperta senten- tia est, nullum esse Latinum nomen, quod Graecum sibi respondens magis exprimat quam voluptas exprimat (id, quod ei respondeat). Sed confusa notione nominis, quod duplex est, Graecum et Latinum, et rei, quae una est, negligentius et brevius sic dixit, tamquam unum esset eiusdem rei nomen Graecum et Latinum, retinuitque idem subiectum in utraque parte sententiae (*idem declaret Latine quod Graece*), cum alterum substitui deberet (*quod Graece Graecum*)' (Madvig). There is a somewhat similar incompleteness of expression in Orat. 34 quid enim tam distans quam a severitate comitas?

qui ubique sunt, qui Latine sciunt, duas res subiciunt, laetitiam in animo, commotionem suavem iucunditatis in corpore. Nam et ille apud Trabeam 'voluptatem animi nimiam' laetitiam dicit eandem, quam ille Caecilianus, qui 'omnibus laetitiis laetum' esse se narrat. Sed hoc interest, quod voluptas dicitur etiam in 5 animo (vitiosa res, ut Stoici putant, qui eam sic definiunt: sublationem animi sine ratione opinantis se magno bono frui), non 14 dicitur laetitia nec gaudium in corpore. In eo autem voluptas omnium Latine loquentium more ponitur, cum percipitur ea quae sensum aliquem moveat iucunditas. Hanc quoque iucundi- 10 tatem, si vis, transfer in animum; iuvare enim in utroque dicitur, ex eoque iucundum, modo intellegas inter illum, qui dicat:

Tanta laetitia auctus sum, ut nihil constet,

1 qui...sciunt: *qui latine sciunt qui ubique sunt* B. 2 suavem iucunditatis: ita A; iucunditatis suavem B. 6 sic: om. B. 12 iucundum: *interdum* B. 13 ut: *et* B. 13 constet: *constetur* B.

1. qui...qui: for the two successive relative clauses (*not coordinate*) cf. 1, 22; and Draeger § 480, 2. The usage is especially common in official documents. Cf. qui patres qui conscripti.

2. commotionem: the word is elsewhere in the philosophical writings of Cicero a rendering of *πάθος*, mental agitation.

nam et: for the slight anacoluthon see 1, 40 n.

3. ille apud Trabeam: the same phrase (Kühner on Tusc. 1 § 31) prefaces another quotation in Tusc. 4, 67. So ille apud Terentium, below, 5, 28; i. a. Euripidem, Tusc. 3, 67; for ille Caecilianus cf. Hector Naevianus in Fam. 5, 12, 7.

voluptatem animi, etc.: Cicero links these two quotations together in Fam. 2, 9, 2. That from Trabea is given more fully in Tusc. 4, 35 ut ille qui 'voluptatem animi nimiam summum esse errorem' arbitratur; whence Bentley conjectured the line to be 'ego voluptatem animi nimiam summum esse errorem arbitror.' Ribbeck suggests *autumo for arbitror*. With laetitiis laetum cf. 1, 67 laetamur laetitia.

6. eam sic definiunt: sublationem: cf. Off. 1, 142 ordinem sic definiunt, compositionem rerum; so Tusc. 4, 18; and ib. 3, 11 sic...definitur iracundia, ulciscendi libido; but ib. 4, 12 quam (voluntatem) sic definiunt: voluntas est etc. (see C. F. W. Müller on Acad. 2, 113). So ita is sometimes succeeded by a similar defining clause, as in Acad. 2, 77; Tusc. 4, 26 and 4, 13 (referring to the same Stoic definition) quam ita definiunt, sine ratione animi elationem.

Compare also Acad. 2, 113 ita iudico, politissimum omnium philosophorum.

sublationem, etc.: for this Stoic definition see 3, 35 n.

7. non dicitur, etc.: the general usage of prose writers confirms Cicero's statement; but cf. § 98; Tusc. 5, 96 corpus gaudere (an Epicurean passage); Or. in sen. 14 in omni parte corporis semper oportere aliquod gaudium versari (also with reference to Epicureanism); Sall. Jug. 2, 4 corporis gaudiis; Liv. 37, 37, 7 salubre corpori gaudium. Sen. ep. 46, 1 gavisus stronger than delectatus.

8. in eo...ponitur, cum, etc.: the temporal clause with cum is often, as here, explanatory of a preceding clause or words in a preceding clause which have not a strict but only an indirect temporal reference; so 1, 55 in eis rebus peccant, cum; below, § 16; often in definitions, see Draeger, 11^a, p. 547. In such cases the verb of the cum-clause is almost always indicative. [Madvig refers in eo to corpore, and he appears to take in eo as 'in connexion with this,' an unnatural sense for in to bear when linked with ponere. He objects to the interpretation given above, because (1) it detaches this sentence from the one which precedes, (2) it introduces a definition of voluptas as though none had been given before. But these irregularities are in themselves slight, and of a kind quite common in Cicero's philosophical writings; indeed they could be paralleled in almost any writer.]

12. illum...eum: 1, 32.

13. tanta, etc.: the author is unknown.

cr

et eum qui:

Nunc demum mihi animus ardet,

quorum alter laetitia gestiat, alter dolore crucietur, esse illum medium:

5 Quamquam haec inter nos nuper notitia admodum est, qui nec laetetur nec angatur, itemque inter eum qui potiatur corporis expetitis voluptatibus, et eum qui excrucietur summis doloribus, esse eum qui utroque careat.

V. Satisne igitur videor vim verborum tenere, an sum etiam 15
10 nunc vel Graece loqui vel Latine docendus? Et tamen vide ne, si ego non intellegam quid Epicurus loquatur, cum Graece, ut videor, luculenter sciam, sit aliqua culpa eius, qui ita loquatur, ut non intellegatur. Quod duobus modis sine reprehensione fit, si aut de industria facias, ut Heraclitus, 'cognomento qui

1 et eum: et om. B. 3 esse: ē A¹. 7 voluptatibus: voluptatis B.
7 excrucietur: ita B; crucietur A. 9 vim: viam B. 11 loquatur: loquitur B.
14 cognomento: cognomenta B.

As Bentley first suggested, there is an allusion to this line in Tusc. 4, 35 (where the passage of Trahea is quoted) tum (libido) efferetur alacritate, ut nihil ei constet quod agat.

2. nunc demum: Cael. 37 dubito quem patrem potissimum sumam: Caecilianumne aliquem vehementem atque durum? 'Nunc enim demum mi animus ardet, nunc meum cor cumulatur ira.'

3. crucietur...excrucietur: so in § 53 excrucietur...cruciet.

5. quamquam, etc.: the words of Chremes to Menedemus at the outset of the 'Hautontimorumenos.' The three persons are three fathers exhibited on the comic stage (cf. Cael. quoted above); the father who is delighted with his son, the father who treats his son ill, and the tolerant, indifferent, father.

8. utroque: for the neuter singular substantival pronoun referring to more than one preceding subject cf. § 18.

9. satisne: Cicero seems always to give *satis* in this phrase its full force, whereas *satin* or *satine* in comedy is often merely equivalent to *nonne* (Brix on Plaut. Trin. 925).

etiam nunc: i.e. at my age.

10. et tamen: note on 1, 14.

11. ut videor: = ut mihi videor, as often.

12. luculenter: this form is somewhat questionable, as it only has good mss. support here, in Cicero's writings, and is not quoted elsewhere excepting from Apuleius, whereas Cicero used *luculente*

a good many times, and the form is Plautine. The most recent editors still allow *turbulenter* to stand in Fam. 2, 16, 7, though it is equally open to suspicion. These two words (*luculenter*, *turbulenter*) are the only adverbs in *-ter* connected with adjectives in *-entus*, which are presented to us by the Ciceronian mss.; Cicero even avoided *violenter*. On this subject see Neue-Wagener, II, p. 734 sq.

qui ita loquatur: as against *loquitur* (Davies) Madvig urges that the verb is 'necessaria pars sententiae pendentis, in qua a certo subiecto (Epicuro) transitur ad generis notionem (eius hominis qui, ut hinc efficitur, sic loquatur), et causali etiam nexu implicata. Neque enim raro in huiusmodi notatione subiecti simul significatur causa iudicii, quod de eo fiat, aut omnino eius qualitas, et ob eam rem coniunctivus ponitur.' There are two exx. of this below, § 102. Madvig notes that the indicative is unusual in N.D. 1, 117 quid est autem quod deos veneremur propter admirationem eius naturae, in qua egregium nihil videmus? [It is hardly possible to say that the subjunctive is a necessity here. Cicero often chooses to write the indicative in a relative clause where subj. would seem to us more natural. See C. F. W. Müller on Deiot. 21 (*habebat*).]

14. si aut...aut cum: the change in the position of *aut* is not uncommon; so ut aut...aut ut, Orat. 149, Liv. 2, 27, 2;

σκοτεινός perhibetur, quia de natura nimis obscure memoravit,¹ aut cum rerum obscuritas, non verborum, facit ut non intellegatur oratio qualis est in Timaeo Platonis. Epicurus autem, ut opinor, nec non volt, si possit, plane et aperte loqui, nec de re obscura, ut physici, aut artificiosa, ut mathematici, sed de 5

1 σκοτεινός: scotinus AB.

3 Platonis: platone A.

ne aut...aut ne, Fam. 11, 28, 8 (Matius), S. Rosc. 82, Varro r.r. 2, 7, 10; qui aut...aut cui, Liv. 7, 39, 10. So et is often displaced, as in Acad. 2, 12; 2, 69 (where see my n.); Att. 3, 23, 3; see C. F. W. Müller; imp. Pomp. 49; cf. also De Or. 2, 264 ea quae videantur et veri similia...et quae sint subturpia; Orat. 70 de quo praeclare et multa praeciuntur et res est cognitione dignissima; Fam. 4, 5, 3 (Sulpicius); Varro r.r. 3, 7, 5 aquam esse oportet unde et bibere et ubi lavari possint; Ad Herenn. 2, 48 quom ostendimus et consulto factum et dicimus; Sen. ep. 114, 10 (verba) modo fingit et ignota ac defectit (remarkable if correct); Plin. n. h. 18, 127 quadri-pedes et fronde eorum gaudent et homini....Less simple distortions of order also occur, as in Liv. 36, 16, 10 ut, sive victus esset...sive vinceret, ut...; Cic. De Or. 3, 14 sed quoniam haec iam neque in integro nobis esse possunt et summi labores nostri...mitigantur; Liv. 44, 22, 2 cum aut...aut quo die. For similar dislocations in Lucretius see Munro's note on 6, 105. The interchange of *si* and *cum* is far from uncommon; see Rep. 3, 23; Hor. ep. 1, 7, 10; Ad Herenn. 4, 3 hoc si industria solum fieri posset, tamen essemus laudandi cum talem laborem non fugissemus; also my note on Acad. 2, 64.

cognomento, etc.: this was recognised by Muretus as a quotation, probably from Lucilius. The word *cognomentum*, as Madvig says, 'comitorum est et eorum scriptorum qui antiqua aut obsolescentia retinuerunt, aut obsoleta revocarunt, Sallustii, Messallae, Tacti.' *Perhibere* is poetical, and is not the equivalent of *dicere* but means *cum laude narrare et commemorare* (Madvig, Opusc. 1, 200); Cicero (in prose and apart from quotations) only has the word thrice, viz. Rep. 2, 4; Tusc. 1, 28; Fam. 5, 12, 7. *Memoro* for *commemoro* is very rare in Cicero, occurring once only in the speeches, viz. Verr. 2, 4, 107; twice in the philosophical works, viz. Tim. 39; Leg. 2, 62, and I think nowhere else; considering the ease with which the

compound verbs dropped the preposition in our mss. the word is not above suspicion in these passages. The poet apparently made the first syllable of σκοτεινός long, perhaps writing it scotinus (cf. *cottidie* and *Britanni*, unique in Lucr. 6, 1106; basis, basilica, for which see Lindsay, Latin Language, p. 115, ed. 1894). If the consonant was left single, we may compare *prōpola* in Lucil. and *prōpino* in Martial, *prōlogus* in comedy; also Hectōris Nestōris (once universal at Rome, Varro l. l. 10, 70, and rhetōrica (Enn.)); Non. p. 515 gives in a quotation from Cassius Hemina, 'prudens perplexim scottinos (so mss.) scribit,' where Madvig (followed by Luc. Müller) supposes *scottinos* to be a gloss added by a scribe. In Liv. 23, 39, 2, an envoy sent by Philip to Hannibal is called 'Heraclitus, cui Scotino cognomen erat,' wherein many scholars have seen a gloss. Acc. to Busolt, II, p. 10, the name σκοτεινός first occurs in Ps. Ar. de Mundo c. 5. This passage of Lucilius or some old Latin versifier is the earliest extant in which the name ὁ σκοτεινός is given to Heraclitus, though Diog. L. 9, 6 quotes 'κοκκυστῆς ὀχλολοιδόρος Ἡράκλειτος αἰνικτῆς' from Timon the Sillograph; cf. Lucr. 1, 639 clarus ob obscuram linguam magis inter inanis (i.e. Stoics) | quamde gravis inter Graios qui vera requirunt (i.e. Epicureans), Aetna 537 obscuri verissima dicta libelli, Heraclite, tui; Hieron. Chron. ad Olymp. 69, 4 Heraclitus cognomento tenebrosus. Cic. describes his obscurity as purposed, N.D. 1, 74; 3, 35; so Diog. l. l.

1. perhibetur: five out of seven exx. in Merg. are in quotations: in the other two in pass. = *dicitur* (both in philosophical writings). An extraordinary ex. is Att. 1, 1, 4, but *perhiberet* is for *adhiberet*. Fam. 5, 12, 7 perhibendus.

3. Timaeo: a large fragment of Cicero's rendering (a youthful work) is preserved.

5. ut physici: though above, 1, 19 and below, § 102, and often elsewhere, Cicero gives Epicurus the title of

illustri et facili et iam in volgus pervagata loquitur. Quamquam non negatis nos intellegere quid sit voluptas, sed quid ille dicat; e quo efficitur, non ut nos non intellegamus quae vis sit istius verbi, sed ut ille suo more loquatur, nostrum neglegat. Si enim 16
5 idem dicit quod Hieronymus, qui censet summum bonum esse sine ulla molestia vivere, cur mavolt dicere voluptatem quam vacuitatem doloris, ut ille facit qui quid dicat intellegit? sin autem voluptatem putat adiungendam eam, quae sit in motu (sic enim appellat hanc dulcem: 'in motu,' illam nihil dolentis 10 'in stabilitate'), quid tendit? cum efficere non possit ut cuiquam qui ipse sibi notus sit, hoc est qui suam naturam sensumque perspexerit, vacuitas doloris et voluptas idem esse videatur. Hoc

1 et iam: *etiam* AB; corr. Goerenz. 1 loquitur: *loquatur* B. 2 nos: *non* E.
3 efficitur: *efficiatur* B. 3 nos non: *non* om. B. 8 putat: *ita* B; *putat*
dicat A. 10 cum: *eum* B. 12 perspexerit: *prospexerit* A¹. 12 videatur:
videtur B.

physicus, he excludes him from the band of φυσικολ, a name currently restricted to pre-Socratic writers, who touched on little outside physics. Epicurus seems to have called himself φυσιολογος rather than φυσικός. He is here treated as ἡθικός.

artificiosa: 'technical.' This adjective covers the senses both of *ars* and *artificium*.

1. *et iam*: rare, and often obviously avoided from fear of ambiguity; but found here and there, as Mur. 85 (in some mss.); Cael. 20: 'Qui calumniari volet, quaeret, quid ad Epicurum pertinerit quod *iam*, id est, post Epicurum illa pervagata in vulgus essent' (Madvig).

in volgus: this expression (with the sense of *volgo*) is widely spread in Latin; occasionally (but not in Cicero) *ad volgus* takes its place, as in Liv. 1, 26, 5. In Cicero and early writers the phrase *in volgus* is connected with verbs or participles; later also with adjectives.

pervagata: 3, 5 rebus non pervagatis (where inferior mss. give *pervulgatis*, as here *pervulgata*); so often. In many applications, *pervolgatus*, *pervagatus* are of identical sense, and it may be doubted whether Madvig was right in his note here in recommending the adoption of an old conjecture *pervolgetur* in Inv. 2, 113 ne is honos nimium pervagetur (so all mss.). In speaking of a false reading, *promulgata* for *pervolgata* in Verr. 2, 104, Madvig writes 'nisi de lege et rogatione proponenda numquam aut

Cicero aut alii in prosa oratione ponunt ante Plinium; nam pro Murena 30 *proeliis promulgatis* poetae sunt verba.'

3. *e quo*: before all gutturals Cicero uses predominantly *ex* rather than *e*; see the elaborate lists in Neue-Wagener II, p. 875 sq.

non ut...non: note on § 24.

5. *idem dicit*: sc. *summum bonum esse*.

7. *quid dicat intellegit*: § 21 dicit quod intellegit.

8. *in motu*, etc.: note on § 31.

9. *nihil dolentis*: elsewhere always (*voluptas*) *nihil dolendi*, which may be the right reading here.

10. *quid tendit*? Cf. quid pugnas? in Quinct. 43; Acad. 2, 54. *Tendere* for *contendere* is found nowhere else in Cicero; the usage is early (Ter. Eun. 626) and late (Virgil, Hor. *quid ultra tendis*? etc.). Scaliger's em. *tundit* is amusing.

11. *ipse sibi notus*: cf. Petron. 58 aut ego non me novi aut, and sensus sui in 3, 16.

12. *hoc est...afferre...extorquere*: the form is a common one, as Ter. Ad. 132; Acad. 2, 80; Div. 2, 83; Lucr. 6, 379 sq.; also often, *quid aliud est*, followed by infinitive clause, then *nisi* followed by another infinitive clause; so Cato m. 5; Phil. 3, 21; Div. 2, 78. Sometimes *nisi hoc* or *nisi hoc est* or *si hoc non est* stands for *nisi*, as in Verr. 2; 1, 128; 2, 3, 71; Off. 3, 55; S. Rosc. 54 quid est aliud iudicio ac legibus ac maiestate vestra abuti ad quaestum ac libidinem, nisi

est vim afferre, Torquate, sensibus, extorquere ex animis cognitiones verborum quibus imbuti sumus. Quis enim est qui non videat haec esse in natura rerum tria? unum, cum in voluptate sumus, alterum, cum in dolore, tertium hoc in quo nunc equidem sum, credo item vos, nec in dolore nec in voluptate; ut in voluptate sit qui epuletur, in dolore qui torqueatur. Tu autem inter haec tantam multitudinem hominum interiectam non vides nec
 17 laetantium nec dolentium? Non prorsus, inquit, omnisque qui sine dolore sint, in voluptate, et ea quidem summa, esse dico.— Ergo in eadem voluptate eum, qui alteri misceat mulsum ipse 10 non sitiens, et eum, qui illud sitiens bibit?

1 cognitiones: *cogitationes* A. 2 enim est: ita A; *est enim* B. 4 equidem sum: *quidem sumus* A; *sumus* B. 5 item: *idem* AB al.; corr. Ernesti. 7 interiectam: om. B. 9 quidem: *quam* B. 9 esse dico. Ergo: *esse. Dico ergo* AB.

hoc modo accusare (where Landgraf strangely takes *modo* as 'only'). In later Latin *quam* often takes the place of *nisi* (as it does in other relations) as in Sen. dial. 10, 16, 5 and N.Q. 7, 14, 1; Val. Max. 3, 7, 6. Sometimes the clause with *nisi* is omitted as below, § 54; Phil. 1, 22; 5, 5; 10, 5; Liv. 6, 40 §§ 8, 19. A noun may replace the infinitive as Catull. 29, 15 quid est aliud sinistra liberalitas? with which cf. Phil. 2, 5. As Madvig remarks (note on 5, 31) in Phil. 2, 7 quid est aliud tollere ex vita vitae societatem, tollere amicorum colloquia absentium, we have not an ex. of *nisi* omitted between two compared or contrasted clauses, but the two clauses are parallel, as in Ovid, Her. 18, 181 velle quid est aliud fugientia prendere poma | spemque suo refugii fluminis ore sequi?

1. *cognitiones verborum*: = τὰς εἰωθίας ἀξιώσεις τῶν ὀνομάτων, Thuc. 3, 82. Madvig and other scholars have found the use of *cognitiones* strange; but *cognitio* is 'knowledge' and the plural 'bits of knowledge'; see note on 3, 17. For *extorquere* cf. N.D. 1, 32 Speusippus ...evellere ex animis conatur cognitionem deorum; ib. 1, 36 (Zeno) tollit omnino usitatas perceptasque cognitiones deorum.

2. *imbuti*: 1, 60 n.

5. *sum*: Cicero would hardly have spoiled the contrast with *vos* by writing *sumus*.

credo item vos: cf. Lael. 7 quaerunt ex me, credo ex hoc item Scaevola; ib. 16 pergratum mihi feceris, spero item Scaevolae; below, 5, 76 mihi vero ista

valde probata sunt, quod item fratri puto; Phil. 12, 2 auxerat...meam spem, credo item vestram. Madvig quotes a similar parenthesis from Plat. Prot. 314 c οἷμαι δὲ καὶ ἱππόδικον.

6. *tu autem*: to be symmetrical, the sentence should have gone on *nec in voluptate nec in dolore, qui*, etc. There is anacoluthon of a not uncommon kind. See note on 1, 24 et vetuit.

inter haec: not *hos*; see § 67.

8. *non prorsus*: = οὐ πάντως, 'not so at all.' The other order, *prorsus non*, occurs in Verr. 2, 2, 162; Tusc. 4, 8. So *nullo modo prorsus*, Plaut. Trin. 729; N.D. 3, 21; but *nullo prorsus modo*, ib. 1, 74; Lael. 57 nulli prorsus assentior. As C. F. W. Müller in Philologus xii, 692, pointed out, *nil prorsus* (or *prorsum*) in Ter. Andr. 435 and Haut. 894 is the equivalent of *prorsum nil* in Haut. 776. Apparently whenever *prorsus* is combined with a negative, it strengthens the negative, and is not itself affected by the negative, so that *non prorsus* has not the sense of *non omnino*.

10. *ergo*: *inquam* is omitted, rather harshly; see 1, 28 n. Doubtless in some of the passages where *inquam* or *inquit* is left out the mss. are at fault; these words were much subject to contraction and would be easily lost. Thus in Lael. 37 all the better mss. except P give 'tum ego: etiamne si vellet...?' whereas in the next sentence the conditions are exactly reversed, P giving *inquit* and the other mss. omitting it. Cf. also below, 3, 14 and 4, 2. In De Or. 2, 225 the excited nature of the passage justifies the omission of *inquit*.

VI. Tum ille: Finem, inquit, interrogandi, si videtur, quod quidem ego a principio ita me malle dixeram hoc ipsum providens, dialecticas captiones. Rhetorice igitur, inquam, nos mavis quam dialectice disputare? Quasi vero, inquit, perpetua
5 oratio rhetorum solum, non etiam philosophorum sit. Zenonis est, inquam, hoc Stoici. Omnem vim loquendi, ut iam ante Aristoteles, in duas tributam esse partes, rhetoricam palmae, dialecticam pugni similem esse dicebat, quod latius loquerentur
10 rhetores, dialectici autem compressius. Obsequar igitur voluntati tuae dicamque, si potero, rhetorice, sed hac rhetorica philosophorum, non nostra illa forensi, quam necesse est, cum populariter loquatur, esse interdum paulo hebetiorem. Sed dum dialecticam, 18
Torquate, contemnit Epicurus, quae una continet omnem et perspicendi quid in quaque re sit, scientiam et iudicandi quale

1 interrogandi si: *interrogantis si A¹; interrogandi fac si A²*. 2 malle: *male A¹*.
3 captiones: om. B. 3 inquam: *inquit A¹*. 7 Aristoteles: *aristotiles*
AB, ut in § 19. 8 pugni: ita E; *pugnis* AB al. 9 compressius: *com-*
pressius A¹.

1. *finem*: so below 4, 1 finem ille (sc. *fecit*); N.D. 3, 94; Madvig compares the ellipses in Greek of verbs in the imperative after *μή, μή μοι*. The omission of *facio* is common in other circumstances; see Dräger I, p. 199.

quod: sc. that there should be a truce to questions.

2. *ita*: slightly pleonastic, -as often; so above, 1, 26 quod tibi ita videri necesse est; 3, 11; 5, 77 quod nisi ita efficitur; Madvig gives a list of exx. which might be largely extended.

hoc ipsum...captiones: *hoc* is generic, 'this kind of thing,' as in Acad. 2, 49 soritas hoc vocant; and *id* below § 24; also *istud* in Tac. an. 2, 38 non preces sunt istud sed efflagitatio, and *haec* below § 18 and in Quint. 9, 3, 70 Cornificius haec traductionem vocat; cf. Ovid, Tr. 2, 501; Vell. Pat. 2, 83 § 1 haec. For the generic use of *id*, *quod* in Varro see Keil on r. r. 2, 3, 6. The same use attaches to neuter pronouns in Greek, e.g. *τοῦτο* in Dem. Leoch. § 63. It is quite likely that *haec*, the reading of nearly all mss., is correct in Ovid, Tristia 2, 285 cum quaedam spatiantur in hac ('this kind of place') ut amator eodem conveniat, quare porticus ulla patet? (Owen, in *hoc*, with Benti. Madv.). For the connexion between singular and plural, in addition to the passages quoted above, cf. Ovid, Am. 2, 4, 12 in-

sidiae sunt pudor ille meae; lb. 1, 7, 60 sanguis erat lacrimae, and Luc. 9, 811 sanguis erant lacrimae; Ovid, Her. 15 (16), 294 et tua sim quaeso crimina solus ego; (many other exx. in the poets).

3. *dialecticas captiones*: cf. *δνομάτων θηρεύσεις* in Plat. Theaet. 166 c.

rhetorice...dialectice: cf. 5, 10.

5. *non etiam philosophorum*: 'non satis ad id, quod hic obicitur, respondet Cicero, sed, quidquid continua oratione dicatur, rhetorice dici statuit' (Madvig).

6. *vim loquendi*: so § 30; 5, 30 vis diligendi; 5, 76 v. percipiendi; Part. Or. 82 v. laudandi.

ut...Aristoteles: for the parenthesis see note on 4, 6.

7. *rhetoricam palmae*, etc.: the same account is given of this illustration of Zeno's in Orat. 113; Quint. 2, 20, 7; Sext. A.M. 2, 7; Isid. orig. 2, 23. But in Acad. 2, 145 another application of the illustration is quoted.

9. *compressius*: cf. Brut. 29; Part. Or. 79.

10. *rhetorice, sed hac rhetorica*: Boeckel quotes Lael. 100 sapientium...de hac dico sapientia; Brut. 38 suavis, sed suavitae ea....

11. *populariter* 1.: so Leg. 1, 19; below, 5, 12 genus librorum...populariter scriptum.

14. *quid...sit*: the essence (*τὸ*); quale...sit, the qualities (*ποιόν τι*).

sit quidque, et ratione ac via disputandi, ruit in dicendo, ut mihi quidem videtur, nec ea quae docere volt, ulla arte distinguit, ut haec ipsa, quae modo loquebamur. Summum a vobis bonum voluptas dicitur. Aperiendum est igitur quid sit voluptas; aliter enim explicari, quod quaeritur, non potest. Quam si explicavisset, non tam haesitaret. Aut enim eam voluptatem tueretur, quam Aristippus, id est, qua sensus dulciter ac iucunde movetur, quam etiam pecudes, si loqui possent, appellarent voluptatem, aut, si magis placeret suo more loqui, quam ut

Omnes Danai atque Mycenenses,
Attica pubes

10

reliquique Graeci qui hoc anapaesto citantur, hoc non dolere solum voluptatis nomine appellaret, illud Aristippeum contemneret, aut, si utrumque probaret, ut probat, coniungeret doloris

1 sit quidque: ita A; *quidque sit* B. 1 dicendo: *docendo* coni. Bake. 2 ulla: *illa* B. 4 dicitur: om. B. 10 atque: *aut* AB; corr. Lambinus. 11 Attica: *aut artica* B; *ut artica* E. 13 appellaret: *appellant* B. 14 ut: *aut* AB.

1. **ruit**: cf. 1, 18 Epicuri propriae ruinae (with note); pro dom. 141 in agendo ruere.

2. **ut haec ipsa**: sc. *nulla arte distinguit*.

6. **haesitaret**: note on 1, 20 haeret; but *haesitare* is always used by Cicero in a metaphorical sense; see my note on Acad. 2, 52.

8. **pecudes**: often brought into connexion with hedonism, as Acad. 1, 6; 2, 139; Lael. 20; see passages quoted by Usener, p. 274 n.; below § 109 voluptatem bestiis concedamus; § 40; § 111 pecudis bonum; Sen. ben. 3, 31, 4 muscarum ac vermium bonum (but see context).

si loqui possent: in fanciful suppositions of this kind Cicero often employs the present subjunctive, as in 3, 1 and 5, 39 vites si loqui possint; 4, 61 si reviviscant.

10. **omnes Danai**, etc.: from an unknown tragedy. '*Citantur* ne hic quidem est ut in lexicis explicari video, *nominantur*, sed fuit in illo cantico vocatio quaedam et citatio, ut adessent.' Apart from the meaning 'to rouse rapid movement' this is the only sense the word *citare* bears in Cicero; for even in De Or. 1, 251, where all mss. give *Paeanem*... *citatum* (edd. mostly *recitatum*), it is quite possible that this is the sense; for *Paean* is the name of a god, as well as the name of a hymn in honour of the god. The singer who sings a hymn in

which the god is summoned may well be spoken of as summoning the god. The same remarks apply exactly to the disputed passage of Hor. s. 1, 3, 7 si collibisset, ab ovo | usque ad mala citaret 'io Bacche (or Bacchae)'; and it is noticeable that 'io Paian' (Ov. ars 2, 1) was the beginning of the one class of hymn, as 'io Bacche' was of the other. Wilkins on De Or. 1. 1. quotes and condemns an explanation given of *citare paeanem* by Lachmann on Lucr. 2, 70 as equivalent to *celeri ἀγωνῇ* peragere; but the word *celeri* there is erroneous, for *citare* implies not rapid, but loud utterance, like that of a κῆρυξ or *praeco*. In the passage of the De Or. the mss. give generally after *Paeanem* the words *aut munionem*, for which the favourite correction has been *hymnum*. I urged in a note in Wilkins' edition that not a general term like *hymnum* was needed but a word as special in its sense as *Paeanem*; the explanation I have given above of *citatum* strengthens the case for the name of some divinity (such as *Munychiam*, which I suggested, based on the πότνια Μουνυχίη λιμενοσκόπος of Callimachus, Dian. 259).

12. **anapaesto**: sc. *carmine*; so in Tusc. 3, 57; in Gell. pr. § 20 *anapaestum* means one anapaestic verse. So *iambus* as in N.D. 3, 91 quem Hipponactis iambus laeserat; Hor. A.P. 79.

hoc non dolere: note on 1, 1.

14. **utrumque**: note on § 20.

vacuitatem cum voluptate et duobus ultimis uteretur. Multi 19 enim et magni philosophi haec ultima bonorum iuncta fecerunt, ut Aristoteles virtutis usum cum vitae perfectae prosperitate coniunxit, Callipho adiunxit ad honestatem voluptatem, Diodorus ad eandem honestatem addidit vacuitatem doloris. Idem fecisset Epicurus, si sententiam hanc, quae nunc Hieronymi est, coniunxisset cum Aristippi vetere sententia. Illi enim inter se dissentiunt. Propterea singulis finibus utuntur et, cum uterque Graece egregie loquatur, nec Aristippus, qui voluptatem sum- 2 enim et; autem B. 3 usum: summi BE. 4 adiunxit: adiungit B. 9 nec: hec B.

1. **duobus ultimis**: so 3, 22 duo ultima; the opposite is *singulis finibus* below; cf. Sen. ep. 66, 45 apud Epicurum duo bona sunt (but they are not the same as here).

2. **haec**: 'such as these'; cf. note on § 17 hoc ipsum.

3. **virtutis**, etc.: so Cicero represents Aristotle's (1098a16) ἐνέργεια κατ' ἀρετὴν ἐν βίῳ τελείῳ. Cf. § 38 vitae perfectione.

4. **Callipho**: in Cicero's time, Greek words in -ων with stem -ωντ or -ωντ retained the *n* in the nom. case, when transliterated; while most of those with stem -ον dropped the *n*. But in earlier days the rule did not hold; both these classes of words were treated alike, being assimilated to Latin words of the type of *sermo*; thus λέων, λέοντος became *leo*, *leonis*. Later on Latin followed more closely Greek usage, retaining the *τ* of the stems. In some Greek proper names which became familiar at Rome at an early period, Cicero seems to follow, at least in the nominative case, the older usage; *Callipho* is given by the mss. here and below, 2, 34; 4, 50; 5, 73; Acad. 2, 131; Tusc. 5, 85. Madvig says: '*Antipho* non Ciceronis est, sed comici alicuius (11 de Orat. 242)'; but there is evidence for it in Div. 2, 144. In the other cases Cicero seems usually to have preserved the *τ*; so *Antiphonem* in Div. 2, 144 (close by *Antipho*); cf. ib. 1, 39; *Calliphonem* Acad. 2, 139. Below, 2, 35, the mss. give *Calliphonis* but as *Polemonis* immediately precedes this may be due to assimilation; but in 5, 21 *Callipho* and in Off. 3, 119 *Calliphonem* stands apart from any disturbing cause. In Div. 1, 116 the word *Antiphonis* is not above suspicion (bracketed by C. F. W. Müller). In one word Latin was curiously perverse, writing *Charontia* for Χάρων. As to *Polemon* and the like see note on 4, 14.

adiunxit...voluptatem: according to

Clem. Strom. 11, 496 Pott. the school of Callipho said that ἀρετὴ is first embraced for the pleasure it brings and then is placed on a level with pleasure: 'κατὰ δὲ τοὺς περὶ Καλλιφώντα ἔνεκα μὲν τῆς ἡδονῆς παρεισῆλθεν ἡ ἡδονή, χρόνῳ δὲ ὕστερον, τὸ περὶ αὐτὴν κάλλος κατεῖδουσα, ἰσότημον ἑαυτῇ τῇ ἀρχῇ, τοῦτ' ἐστὶ τῇ ἡδονῇ παρέσχεον.' Cicero says in Tusc. 5, 87 eadem Calliphontis erit Diodorique sententia, quorum uterque honestatem sic amplectitur ut omnia quae sine ea sint longe retro ponenda censeat. The meaning of this is somewhat doubtful; it is either (1) that in the combination of virtue with pleasure, virtue was considered by far the predominant element, or (2) that those views of the *summum bonum* which excluded ἀρετὴ were held vastly inferior to those in which it was an element. Nothing further is known of Callipho and Diodorus, excepting that the latter, like Hieronymus, was nominally a Peripatetic, and having been a pupil of Critolaus, succeeded him in the headship of the School (5, 14 and 73 and Clem. Strom. 11, 496 Pott.). As to the combination of virtue with pleasure cf. Aresas ap. Stob. 1, 846 (Mullach, 11, p. 52) δοκέει μοι καὶ ὁ βίος ὁ κατ' ἀνθρώπων ἄριστος ἦμεν, ὅκα τὸ ἀδὸν τῷ σπουδαίῳ συγκατακραθῇ καὶ ἁ ἀδονὰ τῇ ἀρετῇ.

5. **honestatem**: cf. n. on 2, 45.

6. **sententiam...sententia**: note on 1, 3.

nunc: Hieronymus was of course later than Epicurus.

8. **propterea**: this word shows that *dissentiunt* is used in a strong sense of absolute opposition, not partial disagreement. Some adverb like *plane* might have been expected before *dissentiunt*.

9. **Graece egregie**: note on 1, 8 Latine deterius.

num bonum dicit, in voluptate ponit non dolere, neque Hieronymus qui summum bonum statuit non dolere, voluptatis nomine umquam utitur pro illa ~~indolentia~~, quippe qui ne in expetendis
 20 quidem rebus numeret voluptatem. VII. Duae sunt enim res quoque, ne tu verba solum putes. Vnum est sine dolore esse, 5 alterum cum voluptate. Vos ex his tam dissimilibus rebus non modo nomen unum (nam id facilius paterer), sed etiam rem unam ex duabus facere conamini, quod fieri nullo modo potest. Hic, qui utrumque probat, ambobus debuit uti, sicut facit re, neque tamen dividit verbis. Cum enim eam ipsam voluptatem quam 10 eodem nomine omnes appellamus, laudat locis plurimis, audet dicere ne suspicari quidem se ullum bonum seiunctum ab illo Aristippeo genere voluptatis, atque ibi hoc dicit ubi omnis eius est oratio de summo bono. In ~~alio~~ vero libro, in quo breviter

3 umquam: *inquam* A¹; *numquam* B. 4 quidem rebus: *rebus quidem* E.
 5 quoque: *quarum* B. 8 conamini: *conamur* B. 8 fieri nullo modo: *nullo modo fieri* B. 9 re: om. B. 11 appellamus: *appellant* A. 12 seiunctum: *se victum* A. 13 eius est oratio: ita A; *oratio eius est* B.

1. in voluptate: note on § 26 partem in genere.

5. ne...putes: the same slight ellipse (of *hoc dico* or the like) occurs below, § 77 and 4, 36, and often elsewhere (1, 43).

unum...alterum: neuters, spite of *duae res* before; cf. 1, 21.

6. rebus...nomen: slightly illogical; the confusion of the names and the confusion of the things should, strictly speaking, have been kept quite separate.

8. fieri: *ferri*, on the necessity of which Davies insisted (because of *paterer* above), is needless, the expression *quod...potest* is fixed and of common occurrence; cf. Acad. 2, 54 conceditur similis esse, quo contentus esse potueras; tu autem vis eosdem plane esse; quod fieri nullo modo potest.

9. utrumque: 'the combination,' τὸ σύνολον: see my notes on Acad. 1, 24 and 2, 60; cf. Acad. 2, 138 aut...honestatem esse finem, aut voluptatem aut utrumque; below, 3, 44; 4, 39; above § 18. As against the reading *utramque* here Madvig remarks: 'hic quidem paene necessarium neutrum genus, quo obscuratur separata notio singularum rerum (Drakenb. ad Liv. XLIV, 36, 2); nam rem nimis infinite repeteretur in hac sententia; in superiore recte verbo contrarium erat.'

10. cum enim, etc.: Madvig points out that the course of the exposition is rather disorderly. Cicero starts to

prove that Epicurus fuses two things, viz. ἡδονή and ἀπονία, which should have been kept distinct. He treats at considerable length of the Aristippean ἡδονή, and when in § 28 he turns to the other element (*deinde ubi erubuit*, etc.) the transition is very indistinct.

11. omnes appellamus: so below, § 28 eam voluptatem, quam omnes gentes hoc nomine appellant, videtur amplectari vehementius; also § 41.

12. ne suspicari quidem, etc.: note on § 7.

14. alio libro: Usener, Epicurea, praef. XLIV sq. has acutely criticized the collection of κέραι δόξαι which has come down to us, and has found the strongest reasons in its disorder, omissions, and structure generally, for supposing that it did not come from the hand of Epicurus himself, but is an anthology put together from his works by a careless pupil. Or perhaps it grew by accretions. There is an interesting reference in the Herculanean Vol. coll. II, tom. VII, f. 14 (Gomperz, Zeitschr. f. d. oesterr. gymn. 1866, p. 708) to a variety of reading in κρυ. δ. 2. Usener makes too much of this. There is little evidence in the numerous quotations that different versions of the collection were in circulation. In all probability the collection as preserved by Diogenes Laertius is the same as that used by Cicero. The δόξαι which Cic. in N.D.

comprehensis gravissimis sententiis quasi oracula edidisse sapientiae dicitur, scribit his verbis, quae nota tibi profecto, Torquate, sunt (quis enim vestrum non edidicit Epicuri *κυρίας δόξας*, id est quasi maxime ratas, quia gravissimae sint ad beate vivendum breviter enuntiatae sententiae?). Animadvertite igitur rectene hanc sententiam interpreter: 'Si ea, quae sunt luxuriosis efficientia voluptatum, liberarent eos deorum et mortis et doloris

1 edidisse: *edisse* A¹. 3 *κυρίας δόξας*: *cyrias doxas* AB. 4 ratas: *tutas* E.
5 enuntiatae: *enunciatae* AB. 5 animadvertite: *animadvertite* A¹. 7 efficientia: *efficienciam* B. 7 voluptatum: ita A; *voluptatem* A²B.

1, 85 and Plut. Col. 1125 *e* quotes as first stands first in Diogenes. The title, *κύριαι δόξαι*, is exceedingly well attested. In N.D. 1, 85 Cicero describes the book as giving 'selectae brevesque sententiae.' An alternative title seems to have been 'Επικούρου φωναί: see a scholion on Clem. Al. given by Usener, p. 342. Cf. Epic. ap. Diog. L. 10, 35 τῶν δλοσχερεστάτων δοξῶν.

1. quasi oracula: so § 102 quasi oraculum; cf. 1, 63 de caelo delapsa regula. Epicurus used χρησµαδεῖν of his own utterances; see *Vat. γινώµαι* § 29; and the *quasi* shows that Cicero is translating some such word from the Greek. Cf. Lucr. 5, 110 fundere fata | sanctius et multo certa ratione magis quam | Pythia quae tripode a Phoebi lauroque profatur (also 1, 738); also a couplet in the epitaph of Epic. given by Diog. L. 10, 12 τοῦτο Νεοκλῆος πινυρὸν τέκος ἡ παρὰ Μουσέων | ἔκλυεν ἡ Πυθοῦς ἐξ ἱερῶν τριπόδων. The Epicureans even called their founder a god; so Lucr. 5, 8; Tusc. 1, 48. So Timon says of Pyrrho, comparing him with the sun-god, 'μόνος δ' ἀνθρώποισι θεοῦ τρόπον ἡγεµονεύεις.'

3. edidicit: there is abundant evidence that Epicurus and his successors insisted on brief statements of doctrine being committed to memory. At the beginning and end of his epistle to Herodotus, Epicurus indicates that the letter was intended to be learned by heart (Diog. L. 10, 35 and 83); and the same is the case with the epistle to Pythocles (ib. 84, 116). Cf. what Diocles ap. Diog. L. 10, 12 says of Epicurus, 'ἐγύµναζε δὲ τοὺς γνωρίµους καὶ διὰ μνήµης ἔχειν τὰ ἑαυτοῦ συγγράµµατα.' His last words were an injunction to his friends, 'τῶν δογµάτων µεµνήσθαι' (ib. 16). The obligation 'iurare in verba magistri' was always stronger in the Epicurean school than in any other; and the 'schoolboy lessons' inculcated in the

Garden were often made matter for reproach; see note on 2, 95.

4. id est quasi...sententiae: these words have been suspected of forming a gloss; but Madvig well defends them; as he says, the passage gives no mere elucidation of the phrase *κυρίας δόξας*, but explains its application to these particular maxims: 'librarius nemo talem explicationem nominis addidisset. Ceterum cum Cicero iam dixisset: breviter comprehensis gravissimis sententiis, non nimis eleganter in idem eum rursus incidere, non nego.' He notes that *ad beate vivendum* is to be taken with *gravissimae* rather than with *enuntiatae*. As to clauses with *id est*, see 1, 72 n.: 2, 6 n.; as to *quasi* § 5 n.

6. si ea, etc.: this is the tenth *κυρία δόξα* (Diog. L. 10, 142): 'εἰ τὰ ποιητικὰ τῶν περὶ τοὺς ἀσώτων ἡδονῶν ἔλκε τοὺς φόβους τῆς διανοίας τοὺς τε περὶ μετεώρων καὶ θανάτου καὶ ἀληθδόνων, ἔτι τε τὸ πέρας τῶν ἐπιθυµιῶν ἐδίδασκεν, οὐκ ἂν ποτε εἴχοµεν ὃ, τι ἐµεµψάµεθα αὐτοῖς, πανταχόθεν ἐκπληρουµένοις τῶν ἡδονῶν καὶ οὐθαµύθεν οὔτε τὸ ἀλγοῦν οὔτε τὸ λυπούµενον ἔχουσιν, ὅπερ ἐστὶ τὸ κακόν.' Cf. Athen. 7, 278 f οἷται γὰρ οὗτος ὁ σοφὸς καὶ τὸν ἀσώτων βλον ἀνεπίληπτον εἶναι adding, however, from above εἴπερ αὐτῷ προσγένειτο τὸ ἀδελὲς καὶ ἴλεων. 'Pro μετεώροις deos Cicero posuit, a re non aberrans; minus expressit discrimen τοῦ ἀλγοῦντος et τοῦ λυπουµένου, quorum illud ad corpus, hoc ad animum pertinet' (Madvig). This *δόξα* is a defiant version of the doctrine that virtue owes its value to the pleasure to which it gives birth; but it does nothing to impair the other doctrine that the two are fundamentally inseparable. (See 1 §§ 32 sq.)

7. efficientia voluptatum: Cicero applies extensively the native Latin use of the present participle with dependent genitive to represent the Greek adject-

metu docerentque qui essent fines cupiditatum, nihil haberemus, *quod reprehenderemus*, cum undique complerentur voluptatibus nec haberent ulla ex parte aliquid aut dolens aut aegrum, id est autem malum.'

Hoc loco tenere se *Triarius* non potuit. Obsecro, inquit, **5** Torquate, haec dicit Epicurus? (quod mihi quidem visus est, cum sciret, velle tamen confitentem audire Torquatam). At ille non pertimuit saneque fidenter: Istis quidem ipsis verbis, inquit; sed quid sentiat non videtis. Si alia sentit, inquam, alia loquitur, numquam intellegam quid sentiat; sed plane dicit quod intellegit. **10** Idque si ita dicit, non esse reprehendendos luxuriosos, si sapientes sint, dicit absurde, similiter et si dicat non reprehendendos

2 quod reprehenderemus: om. codd.; corr. Davies. 3 id est: *idem* E. 7 velle: *vellē* A². 8 pertimuit: *pertinuit* B. 8 que: om. B. 9 videtis: *videt* B. 10 intellegit AB: *intellegam* codd. dett.; cf. 1 § 15. 11 reprehendendos: *rependendos* A¹, ut est l. 12. 11 luxuriosos si: *luxuriosi* A¹.

tives in -κός with the same construction. Cf. 3, 55 (bona) efficientia, quae Graeci ποιητικά: 5, 81 eorum (bonorum) confidentia; but Fat. 33 causas id efficientis. See Draeger, 11², § 207.

2. *complerentur*: the genitive construction with *comple* and similar verbs was probably in Cicero's time archaic and colloquial. One ex. only occurs in the speeches, viz. Verr. 5, 147 cum completus iam mercatorum carcer esset; here perhaps *turba* has fallen out after *mercatorum*. Only one ex. is quoted from the philosophical writings, i.e. Cato m. 46, but here it is an error to suppose that the genitive depends on *compleo*; see my note on the passage.

3. *dolens aut aegrum*: Tusc. 1, 79 nihil est quod doleat, quin id aegrum quoque esse possit.

id est autem: 'non memini alibi sic poni *id est autem*, quia continuativa huius particulae significatio ab hac brevi adiunctione alienior videtur; saepius sic dicitur *id est*, et alia sententiae forma *id est enim*' (Madvig). If the objection is solely to the 'brevis adiunctio,' it hardly holds good; cf. e.g. 4, 72 dicam Graece προσηγμένα, Latine autem producta. *Autem* is common in small explanatory parentheses as Acad. 2, 61 and often in Livy.

5. *tenere se*: Madvig calls the order *se tenere* 'less good'; but it is found in Acad. 2, 12 (where M. sees a difference which I cannot trace); Sest. 117 vix se populus Romanus tenuit (but ib. 134 *tenere se* non potuit); Pis. 49; Deiot. 11;

Phil. 7, 1 and 13, 46; Petron. 64 and often elsewhere: *tenere se* as in Phil. 5, 48; Juv. 1, 31. So 'te teneo' and 'teneo te.' No doubt the choice of order in such cases depends on a feeling for emphasis and euphony, which is sometimes too subtle to be caught by us.

8. *saneque fidenter*: N.D. 1, 18 tum Velleius fidenter sane, ut solent isti (sc. Epicurei).

9. *alia sentit*: Cael. ap. Fam. 8, 1, 3 aliud sentire et loqui (of Pompeius); Acad. 2, 15 aliud diceret ac sentiret (of Socrates' irony); Att. 7, 6, 2 dices: 'quid tu igitur sensurus es?' Non idem quod dicturus.

10. *plane dicit quod intellegit*: 'it is his custom to express clearly what he clearly understands.' The inference is that he does not in this case know what he is talking about; hence *dicit absurde*, not *plane*. The whole run of the argument shows that *intellegit* is the right reading. And it is supported by T. D. 2, 44 Epicurus...tantum monet quantum intellegit. Cf. Sen. ben. 1, 3, 8 Chrysippus verbis non ultra quam ad intellectum satis est utitur.

12. *similiter et si dicat*: *et* substituted for *ac* where the sense is truly comparative, not copulative (see note on 1, 67 aequae et); so 4, 31 similem habet voltum et si; *aliter et* (with following vowel) in Att. 10, 11, 1 and 11, 23, 1; *alius et*, Sall. Cat. 52, 2. Lucretius once writes (3, 1092) *minus et* for *quam* (with a vowel following). [Cicero and prose writers generally do not employ *ac* or

parricidas, si nec cupidi sint nec deos metuant nec mortem nec dolorem. Et tamen quid attinet luxuriosis ullam exceptionem dari aut fingere aliquos qui, cum luxuriose viverent, a summo

atque after comparatives, for *minus ac* in older editions of Att. 5, 11, 2 is an error, *ac* not being in the mss.; and recent edd. of Att. 13, 2, 3 rightly interpose a stop between *diutius* and *ac nollem*. The only other exx. quoted from prose for *ac* after comparative are Liv. 22, 10, 6 (in a quotation from an old document) and Suet. Iul. 14. Yet *atque* follows the superlative sometimes, as in Fam. 9, 13, 2 non possum ego non aut proxime atque ille aut etiam aequae laborare; and in Leg. agr. 1, 13 simillime atque, *simillime* takes the construction of *similiter*.] Lamb. read *similiter ut si*, which Cicero has in three places, Off. 1, 87; Cato m. 17; Tusc. 4, 41. See note on § 33 simul et; also on 4, 31 simile...et; and on 4, 64 aequae et.

non reprehendendos, etc.: Madvig criticizes Cicero's exposition for want of lucidity, but his own remarks are hard to follow. 'Comparatio parricidarum quam absurditatem ostendat, non apparet, nisi hoc dicit, inaniter totum hoc ab Epicuro poni, quod adiungat conditionem, quae numquam effici possit. Atqui Epicurus non docebat asotos aliquando non reprehendendos esse, sed non fore reprehendendos, nisi iis necessario adiuncta pravitas aliqua esset. Et ipse Cicero statim ostendit non esse illam necessario adiunctam, posseque esse tales luxuriosos. Nec Epicurus de asotis dixit, quos Cicero negat finitas cupiditates habere posse sed de genere illo voluptatis quo uterentur.' But (1) the object of the introduction of *parricidae* is surely clear enough; Cicero wishes to cast odium on the doctrine of Epicurus by showing that it would apply to all sinners and criminals alike; and this the philosopher himself could not have denied. (2) What is meant by the distinction drawn between 'reprehendendos esse' and 'fore' is hard to see; Epicurus wrote οὐκ ἂν ποτε εἴχομεν, not οὐκ ἂν ποτε ἔχομεν, and this proposition Cicero's words are perfectly well suited to represent. (3) It is again difficult to understand the point of the remark *et ipse...luxuriosos*. What Epicurus averred in the tenth *kyria* δόξα was that *luxuria* left the four great ills of life, passion, dread of gods, dread of death, pain, uncured. Naturally Cicero tries to show that the *luxuriosi* can

escape these ills. (4) The criticism that Epicurus wrote not of the ἀσωτοί but of the kind of pleasure which they pursue, is most unsubstantial. Madvig proceeds: 'Deinde, si in coniunctione rerum prorsus separatarum absurdum illud esse vult, minime, ut parricidium et doloris mortisque metus plane seiuncta sunt, sic in Epicuri sententia luxuriosa voluptas et reliqua illa. Cum enim in voluptate summum bonum ponat, ostendit cur in corporis et luxuriosa voluptate non ponat beatam vitam eosque reprehendat qui in illa voluntur.' These sayings are again dark. The first sentence seems to imply that the parallel Cicero draws between parricide and *luxuria* will not hold. But surely both are alike in what is the sole point of importance for Cicero's argument, viz. that they do not bring peace. How the latter of the two sentences is connected in meaning with the former I have failed to divine. In the remainder of his note, Madvig insists that Cicero ought to have been content at this point (*hoc loco in praeparatione disputationis*) with indicating that *luxuriosi* can exist free from dread; 'cetera de ipsa luxuriosae voluptatis reprehensione hoc loco declamatorie adiunguntur et turbant legentem.'

1. si nec cupidi sint, etc.: the four κύρια δόξα which stand first in the collection are directed against these four principal evils of life. Attention is drawn to this fact by an unknown Epicurean writer in one of the Herculean fragments quoted by Usener, p. 68; cf. also another fragment (ib. p. 69) παρέστω μόνον ἡ τετραφάρμακος ἀφοβὸν ὁ θεός, ἀναλθθητὸν ὁ θάνατος, καὶ τὰ γὰρ ἅθην μὲν εὐκτητὸν (hence no need for cupiditates inanes), τὸ δὲ δευνὸν (pain) εὐεκκατέρητον.

2. exceptionem: the conditional clauses in the δόξα are compared to the modifying clauses (technically *exceptiones*) in the legal formula. See Acad. 2, 97.

3. dari aut fingere: Madvig illustrates the change from the passive to the active infinitive dependent on an impersonal expression, from Fat. 23 and 46; Brut. 196; De Or. 2, 177; Leg. 1, 56; Inv. 2, 36 and 117; Phil. 5, 39; Lig. 14 (where the reading has been

philosopho non reprehenderentur eo nomine dumtaxat, cetera
 22 caverent? Sed tamen nonne reprehenderes, Epicure, luxoriosos

needlessly altered by edd.); Sen. de prov. 1, 1; add Liv. 5, 39, 11 (*placuit*); 5, 20, 8 (*satiùs esse*); 5, 30, 3 (*nefas*); 24, 11, 2 (*placuit*); Luc. 10, 347. Madvig expresses a doubt whether Cicero intended to use this freedom in Div. 1, 77 signa convelli ac se sequi iussit, because the standards themselves might be said *sequi ducem*; though Virgil did use it in Aen. 5, 773 and perhaps in Ecl. 6, 85; so Liv. 21, 38, 6 (after *miror*). Since verbs of wishing tend, like impersonal verbs, to take the passive infinitive (see note on 1, 30) there is nothing surprising in the transition after *volo*, as in Att. 9, 6, 7 (where Boot changes the reading without the least necessity) and Cael. 79 and Liv. 31, 10, 7; or *malo* as in Liv. 21, 38, 6; 35, 4, 2; cf. Virg. Aen. 3, 61 (*idem animus*).

1. eo nomine: Usener, p. 73 κνρ. δόξ. 10. *dumtaxat*: 'merely'; cf. the words below 'ob eam ipsam causam quod ita viverent.' *Dumtaxat* in its earliest uses (in legal formulae) was applied to the limitation of sums of money or things of other kinds. Philologists continue to connect *taxat* (which was separable from the *dum* in early Latin) in one way or another with *tangere*. Bréal calls it a subj. of an s-aorist of *tango*, 'donec tetigerit, jusqu'à ce qu'il ait atteint,' then 'jusqu'à et non plus loin.' The explanation is probably in substance as old as Aelius Stilo. See Festus, p. 356. Varro has preserved *taxis*=*tetigeris*. Lindsay (Latin Language, p. 565) calls *taxat* a present subj. of a by-form of *tango* as *viso* of *video* and *quaeso* of *quaero*. But in the earliest passages *taxat* has the precise meaning of *aestimare*, so much so that the genitive of value is attached to it, as e.g. in C.I.L. 1, 197, 12 *sei quis magistratus multam inrogare volet* [qui volet dum minoris] *partus familias taxat*, licet; the abl. of value also occurs. The process by which this original sense is arrived at, starting from the fundamental idea of *tango*, is very forced. I am still inclined (as I wrote in commenting on Lael. 53) to connect *taxat* with Oscan *tanginom* (*sententia*, τὸ δόξαν) and with *tongere*, about which there is this curious statement in Festus, p. 356 M.: Aelius Stilo ait noscere esse, quod Praenestini tongitionem dicant pro notionem. Significat et latius dominari. Ennius: alii rhetorica tongent. Et vincere etiam quandoque videtur significare. The text is thus restored with

fair certainty by K. O. Müller. The excerpt of Paulus is: 'tongere nosse est, nam Praenestini tongitionem dicunt notionem. Ennius: alii rhetorica tongent.' If, as appears, Festus understood *tongere* in the passage of Ennius to mean *latius dominari*, he has blundered strangely; so, too, about the meaning *vincere*, of which, however, he speaks doubtfully. [The gloss often quoted for *tongere*, as e.g. by Forc. De Vit s.v., is a forgery; see Luc. Müller's Lucilius, p. 244.] In post-Augustan Latin writers a verb *taxare* appears with a wider range of usage: it is applied to estimating or valuing anything (whether concrete or not) with the constructions of value. Then it comes to mean 'to punish' as in Sen. ben. 4, 36, 3. In Gellius and the Gromatici (see Lexica, s.v.) stones are said *taxari* when they are wrought by the mason. The sense is usually explained (rather ineptly) by the stone having been 'saepius tactus' by the mason; rather the notion of diminishing property by mulcts is extended to other modes of diminishing. A somewhat similar change explains the sense 'to taunt' a person or 'depreciate' a thing. There are analogies in the uses of *muliare*. *Taxatio*=*aestimatio* occurs once in Cicero (pro Tull. 7), and often later. Festus l.l. explains *taxator*: 'scenici taxatores dicuntur, quod alter alterum maledictis tangit'; this he gives as evidence that *taxare* is connected with *tangere*. The gloss is suspicious; if trustworthy, the use of *taxator* may belong to a late time, when *taxare*=*male dicere* was common. *Tangere*=*'abuse, 'cheat'* is of course found at all periods, and is like our vulgar phrase 'to touch up.' The construction in *tangere aliquem triginta minis* (Pl. Epid. 705) and the like phrases is best explained as one of value, 'to touch a man up to the tune of 30 minae.' If *taxare* were really connected with *tangere*, expressions of this kind would afford the nearest analogy to the use of *taxat* in the old laws.

cetera: i.e. the dread of the gods, etc.

2. caverent: Madvig justifies the asyndeton, saying that the direct statement would be *hoc saltem nomine non reprehenduntur, cetera caverent*. It must be confessed, however, that the proposal of Lambinus to insert *si* before *cetera* has in its favour the *et*-clause in the δόξα of Epicurus, the *si*-clause which Cicero twice uses in this section, and the word

Iam doloris medicamenta illa Epicurea tamquam de **narthecio** proment: 'Si gravis, brevis; si longus, levis.' Vnum nescio, quo modo possit, si luxuriosus sit, finitas cupiditates habere.

- 23** VIII. Quid ergo attinet dicere: 'Nihil haberem quod reprehenderem, si finitas cupiditates haberent'? Hoc est dicere: 5
'Non reprehenderem asotos, si non essent asoti.' Isto modo ne improbos quidem, si essent boni viri. Hic homo severus luxuriam ipsam per se reprehendendam non putat. Et hercule, Torquate, ut verum loquamur, si summum bonum voluptas est, rectissime non putat. Nolim enim mihi fingere **asotos**, ut soletis, qui in 10 mensam vomant, et qui de conviviis auferantur crudique pos-

1 **narthecio**: *narthetio* A. 4 **quid ergo**: *quod ergo* B. 4 **haberem**: *habere* A.
7 **quidem**: *quam* B. 7 **hic homo**: *hoc homini* B. 8 **Torquate**: *o torquate* A
(*o superscr. m. 2*). 11 **postridie**: *posteri die* A¹; *postero die* A² al.

'conveyed' from Menander; this line was again conveyed by Lucilius ap. Non. 526 M.: 'qui sex mensis vitam ducunt, Orco spondent septimum.' An ancient version of 'a short life and a merry one.' Ritschl, Opusc. 2, 506, supposes that the readings here of some MSS., *exonemide*, *exonemide*, point to a form *Huminis* (doubtless a *meretrix*, the *δωρος* being her lover).

1. **medicamenta**: *φάρμακα*: cf. *τραπεζάρμακος* in the passage quoted in note on § 21 si nec cupidi sint.

narthecio: a rare word: Mart. 14, 78; so *νάρθηξ*, a casket.

2. **brevis...levis**: a not uncommon jingle; Parad. 26 breviora, leviora; cf. 94, 95; see also some passages in note on *levis...brevis* in 1, 40; also note on 1, 49 maximos morte finire; cf. also N.D. 1, 70. [As to *brevis...levis* see Wölfflin in Archiv 1, 382.] Sen. ep. 24, 2 aut non magnum aut non longum esse quod metuis; ib. 24, 14; 78, 7.

unum nescio: cf. the elliptic *nisi unum* in Plaut., as Mil. Gl. 24, where see Tyrrell's note.

3. **possit**: a sudden transition from plural to singular, not uncommon in Cicero, as N.D. 1 §§ 50, 101, 102, 114; De Or. 1, 160 (where see Wilkins' note); in his note on N.D. 1, 50 Davies quotes Greek parallels. The opposite change, from singular to plural, sometimes occurs, as in N.D. 1, 106, Acad. 2, 32, 140. Madv. is unduly severe with Goerenz, who suggested that the indefinite subject was omitted, as in Greek. M. says: 'quid id ad Ciceronem?' Goerenz doubtless had in mind passages like

De Or. 1, 30 impellere voluntates quo velit; see my note on Acad. 1, 2.

6. **isto modo**: so § 103; cf. the elliptic use of *isto modo* in answer to questions, Tusc. 1, 11; 4, 9.

7. **hic**: 'hereupon.'

9. **ut verum loquamur**: Tusc. 1, 112 verum si loqui volumus.

10. **nolim mihi...ut soletis**: cf. N.D. 2, 47 (also addressed to an Epicurean) noli, quaeso, prae te ferre vos plane expertis esse doctrinae. As to the change of number see above, note on 'possit,' and for the ethical dative cf. In Cat. 2, 10 qui mihi...vino languidi eructant caedem; Draeger § 191; Kühner, Gram. § 76, 8 c. The sense of the passage is 'I should be sorry to imagine to myself' (cf. Acad. 2, 51 mens...sibi fingit aliquid). These pictures of debauchery were no doubt proposed by the Epicureans by way of horrible examples, a fact which is often left out by their critics; cf. § 68. To these moral lessons belonged mention of moral storms (*χειμῶνες καὶ καταγισμοί*) and *ἐπεντρώματα* and *νύγματα* and other phrases ridiculed by Plutarch, Cleomedes, Athenaeus, Philo and others (see Usener, Epicurea, § 413).

11. **vomant**: cf. the reproaches addressed to Antonius, Phil. 2, 76.

crudi: Cluent. 168 cum ad illud prandium crudior venisset; cf. Sen. d. 1, 3, 2; 4, 10; Hor. ep. 1, 6, 61 crudi tumidique lavemur; Sen. ep. 89, 22 dominus crudus ac nauseans; 24, 16 ipsae voluptates in tormenta vertuntur, epulae cruditatem adferunt; Sen. d. 12, 10, 3 vomunt ut edant, edunt ut vomant;

tridie se rursus ingurgitent, qui solem, ut aiunt, nec occidentem umquam viderint nec orientem, qui consumptis patrimoniis egeant. Nemo nostrum istius generis ^{asotos} iucunde putat vivere. Mundos, elegantis, optimis cocis, pistoribus, piscatu, 5 aucupio, venatione, his omnibus exquisitis, vitantes cruditatem, 'quibus vinum defusum e pleno sit,† hirsizon,' ut ait Lucilius,

1 occidentem: *hoc cadentem* A¹. 3 istius...venatione: affert Nonius, p. 217. 6 hirsizon: ita A; *hrysizon* B; *hirsiphon* al.

Mart. 12, 76, 2 ebrius et crudus nil habet agricola; ib. 3, 13, 4. Sen. d. 5, 13, 5 qui vinum male ferunt et ebrietatis suae temeritatem ac petulantiam metunt, mandant suis ut e convivio auferantur.

1. *ingurgitent*: Cicero twice has *ingurgitare se in aliquam rem* (in a metaphorical sense), Pis. 42 and Phil. 2, 65; cf. Plaut. Curc. 1, 2, 33 (126) merum ingurgitare in se; Petron. 79 anus... ingurgitata.

solem, etc.: Athen. 6, 273 c quotes the instance of a Sybarite who boasted that he had not seen the sun rise or set for 20 years, and in 12, 520 a he says the peculiar climate of Sybaris made this way of living healthy, whence it was a saying 'ὅτι τὸν βουλούμενον ἐν Συβάρει μὴ πρὸ πολλὰς ἀποθανεῖν, ὅσπερ δούμενον ὅσπερ ἀνίσχοντα τὸν ἥλιον ὁρᾶν δεῖ.' Cf. Sen. ep. 77, 17 (to a glutton) solem quoque, si posses, extorqueres; 122, 2 sunt qui officia lucis noctisque perverterint nec ante diducant oculos hesterna graves crapula quam adpetere nox coepit. Seneca goes on to compare these men with the 'antipodes' and to quote a saying of M. Cato, the censor, to the effect that in the same city with ourselves these 'antipodes' may be found, 'qui nec orientem umquam solem vident nec occidentem.' Also Liv. 31, 41, 10 per somnum et vinum dies noctibus aequare; Plin. n. h. 14, 141 interea, ut optime cedat, solem orientem non vident, ac minus diu vivunt; Colum. 1, pr. § 16; Mayor on Juven. 8, 11 si dormire incipis ortu Luciferi.

3. *istius generis*: Cicero has *eius generis*, *eiusdem* g. and the like, but not *omnis* g. (which Caes. and his continuators avoid, but Livy and later writers use freely) nor *cuiusque* g. (which Caes. has); see Wölfflin in Archiv 5, 395. Often the phrase in *omni genere* stands where later writers would put *omnis generis*. [Pis. 96 omnes mortales omnium generum ordinum aetatum is of course different; so is dom. 75 splendore omnis generis hominum.]

4. *piscatu...venatione*: cf. Cels. 2, 26 minima inflatio fit ex venatione aucupio piscibus pomis. The lexica give *exx.* of the concrete use of *inflatio* and *venatio*, *piscatus* and *venatus*.

5. *his omnibus*: Draeger § 363 erroneously denies to Cicero the summative use of *omnia*, *cetera* and the like at the end of an enumeration, with asyndeton; *haec omnia* occurs in Tusc. 3, 7 and Verr. 2, 1, 74; also doubtless in Verr. 2, 4, 46 *haec omnia* is the right reading, for the varying position of *autem* in the mss. shows it to be an interpolation; cf. too Acad. 2, 85 (but reading doubtful). Many parallels are to be found in Livy, Tac. and other writers. Early *exx.* of *haec omnia* (not in Draeger) are in Cat. agr. 51; 73; 133. [See note on 1, 6 multos alios, and on 4, 35 *cetera*.] The ablatives are of course comitative and not instrumental, dependent on *vitantes*, as Kühner, in his German translation, and others have supposed.

6. *vinum*, etc.: Cicero in quoting has perturbed the metre and there are no means of restoring the lines with certainty. Munro, in his able discussion of the passage (Journal of Phil. viii, 217 sq.), complains that Luc. Müller (in his Lucilius) returned to errors exploded by Madvig. Munro's *χρυσίζον* is so obviously right that it is useless to discuss previous suggestions, some of which were very grotesque, such as the proposal to read *hir-siphon*, 'a hand-siphon' (*hir*=*χεῖρ*). For *χρυσίζον* M. quotes Athen. 27 b ὁ Σπωλητῖνος δὲ οἶνος καὶ πινόμενος ἥδυσ καὶ τῷ χρώματι χρυσίζει. Somewhat similar is Milton, Sams. Ag. 543, 'the dancing ruby sparkling outpoured,' and Parad. L. 5, 633, 'rubied nectar.' M. gives, as the only other example in Latin of *defundere vinum* ('to decant,' while *diffundere* is 'to rack off') Hor. s. 2, 2, 58 ac, nisi mutatum, parcit defundere vinum; but a parallel from Columella is given by Forc. and others from Gratius Faliscus and Palladius by

'cui nihildum sit vis et sacculus abstulerit,' adhibentis ludos et

1 dum sit: ita ABE Crat.; *dempsit* vett.

1 vis: *nix* Lambinus.

Georges. Doubtless Horace l.l. had in mind the passage of Lucilius; so, too, I think, had Petronius when he wrote (§ 5) sic flumine largo | plenus Pierio defundes pectore verba; for he mentions Lucilius just before and other phrases in the same piece of verse have a Lucilian tinge.

e pleno: this probably means 'from a full cask,' i.e. there is no stint. The phrase may have been proverbial; cf. Theocr. 10, 13 ἐκ πλῆθους ἀντλῆεις; Cic. Brut. 288 de dolio hauriendum; Sen. dial. 7, 24, 3 ut... (liberalitas) quasi ex pleno fluat (cf. too ib. 10, 3, 4); and also Ov. Tr. 5, 1, 37 pleno de fonte ministrat. But it is noticeable that *plenum vinum* meant sometimes a 'full-bodied' wine, as in Cels. 1, 6; see the next note.

1. nihildum: if this word be right, the general drift of the line as written by Lucilius must have been that the wine had not yet lost anything of its strength by straining. Perhaps L. wrote *cui nil dum pax vis* (gen. sing.) et *sacculus abstulit*, for *pax* was used to render wine milder, as Plin. n. h. 14, 120 says. That this emendation is in the right direction seems to be shown by Varro's imitation, 'vinum cui nihil sacculus abstulit' (Gramm. Latini, ed. Keil, 5, p. 590). The restoration of Baehrens, 'cui nil dum situs et sacculus abstulerit' is thus better than that of L. Müller, 'cui nil | durist [*duri* Madv.] cum nix et sacculus abstulerit' and that of Munro, 'cui nihilum est viri set sacculus abstulit omne.' But the indicative *abstulit* is more probable than *abstulerit* and hence the hexameter form is more likely than the elegiac. [Cicero himself uses *nihildum* a few times, as Verr. 2, 4, 9; In Cat. 3, 6; Fam. 12, 7, 2; Att. 7, 12, 4; 9, 2; 15, 4, 5, also *neque dum* a few times, but not *nullus dum* (of which Livy is fond) nor other similar forms which occur in early and late Latin.] Munro appears to think that the clearness produced by straining is necessarily implied by *χρυσίζον*, but that is hardly so. Madvig protests against *dempsit* being taken as equivalent to *dempserit*, because it is identical in form with the perf. indic.; but there certainly are analogies for this; see Neue n^o, 539 sq.; *nihildum* a few times in Epp. (Fam. 10, 12, 2).

sacculus: Petron. 73 vinum in

conspectu sacco deflens. The straining of the wine did not always (as Madvig assumes) improve its flavour; Hor. s. 2, 4, 53 at illa | integrum perdunt lino vitata saporem. In pro Scaur. 42 Cicero speaks of the Sardinians as having a bad pedigree. The Phoenicians, a most treacherous race, founded Carthage, where the inhabitants, after mingling with the Africans and pursuing a career of turbulence and faithlessness, banished certain of their number who colonised Sardinia. 'Quare cum integri nihil fuerit in hac gente plena, quam valde eam putamus tot transfusionibus coacuisse?' The word *plena* is used in allusion to the sense it has in the passage of Celsus, quoted above. For *diffundere vina* see Mayor and Friedländer on Juven. 5, 30; and cf. the lexica under *capulare*, *capulator*.

adhibentis ludos: cf. § 64 cetera illa adhibebat, etc; **Ludos:** Gaditanarum and the like. The word is often used alone in reference to banquets, Hor. ep. 2, 2, 56 iocos Venerem convivia ludum with the bad significance which Cicero conveys here by *et quae secuntur*. 'Es, bibe, lude' occurs commonly on tombstones; see Bücheler, Carmina Epigraphica, 935, 19 and 1500 with his notes; cf. too note on § 106 Sardanapalli. **Ludi** in Lucr. 4, 1131 (wrongly questioned by Lachmann) has a similar connotation, as the context shows. The word *ludus* lies concealed, I believe, in a passage quoted twice by Nonius (70 and 353) from Varro's 'Modius,' where V. alludes (as often) to Epicurus. The mss. of Nonius (353) give 'asse vinum, asse pulmentarium, secundas quo natura aurigatur, non necessitudo.' L. Müller (note on Non. 70) writes *quoi*, interpreting *secundas* as *s. mensas* and remarking 'hominis divitis eiusdemque sobrii mores describi apparet.' Riese, in his edition of the fragments of the Menippean satires, writes *quom* for *quo*. But Varro is alluding to the classification of the desires by Epicurus and the words *natura aurigatur non necessitudo* indicate a desire which is natural but not necessary (see above 1, 45 with notes). *Quo*, therefore, is right, 'in the direction of which,' but *secundas* is corrupt; I would read *asse ludus*. There is abundant evidence to show that Epicurus placed the amatory *ludus* among things natural but not

quae secuntur, illa, quibus detractis clamat Epicurus se nescire quid sit bonum; adsint etiam formosi pueri qui ministrent, respondeat his vestis, argentum, Corinthium, locus ipse, aedificium—hos ergo asotos bene quidem vivere aut beate numquam 5 dixerim. Ex quo efficitur, non ut voluptas ne sit voluptas, sed 24 ut voluptas non sit summum bonum. Nec ille qui Diogenem Stoicum adulescens, post autem Panaetium audierat, Laelius, eo dictus est sapiens, quod non intellexeret quid suavissimum

2 adsint: *adsit* A¹.

4 aut: *at* B.

necessary. Martial 1, 103, 9, had the passage of Varro in mind; 'et Veientani bibitur faex crassa rubelli, asse cicer tepidum constat et asse venus.' There are other fragments of the 'Modius' in which V. quotes Epicurus' recommendations of an uncostly life; see note on § 24 o lapathe.

1. quae secuntur: similarly N.D. 1, 95 quid sequatur videtis; Dio Cass. 45, 26 (a speech of Cicero) τοὺς κώμους, τὰς μέθας, τὰλλα πάντα τὰ τοῖς ἐπόμενα; V. Hugo, Notre-Dame, Liv. 7, c. 1 la taverne lui plaisait et ce qui s'ensuit; Cleomedes, ed. Ziegler, p. 166, l. 27 ἀσχήμονι μέθῃ καταλόμενος καὶ λοιπὸν τὰ τοῖς ἐπόμενα πράσων (in the course of a long passage abusing Epicurus).

clamat: note on 1, 57.

2. formosi: for the spelling *formonsi* see Schönwerth-Weyman in Archiv 5, 195, 196.

3. Corinthium: this is used substantively in Tusc. 2, 32 and by later writers.

4. ergo: this resumptive use is common both in Cicero (above 1, 72; Draeger § 354 g) and elsewhere, cf. Tac. Dial. 34 init.; resumptive uses attach to *igitur* (Draeger § 355, 9); *sed* (Draeger § 333, 5); *tamen, sed tamen* (my note on Acad. 2, 17), *verum tamen*.

bene vivere: Hor. ep. 1, 6, 56 si bene qui cenat bene vivit.

5. ne sit...non sit: Madvig (note on § 15) thus states the use of *ut ne* and *ut non*: 'ea verba quae voluntatem et studium efficiendi significant, ut paene notio finis et consilii insit, velut *oro, peto, praecipio, curo* cett., propterea semper habent aut *ne* aut *ut ne*, etiam *caveo*, Lael. 99, ad Qu. Fr. 1, 1, 38; Liv. xxxiv, 17, 8, ut dicitur etiam *caveo ut*, id est *operam do* [et *interdico* De Or. 1, 215]; ea contra verba in quibus generalis inest significatio rei effectae et consequentis, quod magis inclinant in

sententiarum effectivarum naturam, fere *ut non* habent, raro, nec tamen numquam, *ut ne*, accedente levi significatione studii et voluntatis; (*non efficitur, ut ne*, hoc est, *non efficitur*, quod vultis, *ut ne*). Cf. Att. 11, 9, 3 (Boet) utinam susceptus non essem aut *ne* quid... The combination *ut ne* is very common in Cicero; Merguet's Lexica, s.v. *ne*, give over 100 instances, and there are many in the other writings. In many cases I cannot trace even the *levis significatio studii et voluntatis* which Madvig supposes. It would be idle to assume that in the present passage Cicero changed his point of view in passing from *ut ne* to *ut non*. One might suspect that Cicero wrote *non ut ne* for euphony, were it not that *non ut non* occurs elsewhere, as above § 15 and Fam. 13, 29, 4. The clause *ita ut ne* frequently occurs (De Or. 3, 171, 172; Ad Herenn. 3, 24; Varro, r. 1, 2, 10, 3; ib. 3, 16, §§ 16, 27, 34; cf. *sic...uti ne*, Cato agr. 1, 1); the notion is in such circumstances, so far as I can see, as purely consecutive as it is when *ita ut non* is written. Many traces are left of the time when *ne* and *non* had not been differentiated in use, and the instances in which *ut ne* is indistinguishable in sense from *ut non* may be survivals. After Cicero's time *ut ne* is comparatively rare. Caesar and Sallust avoid it altogether; Livy has it only in one or two passages; Tacitus once. To Draeger's list of later exx. (§§ 411; 542, 2; 562 c) add Plin. n. h. 16, 12; Apul. de deo Socr. 110 ed. Goldb.

6. Diogenem: he came with Carneades and Critolaus on the famous embassy to Rome in 155 B.C.

7. adulescens: Madvig points out that L. was older than Scipio Africanus, who was 31 or 32 in 155. The intimacy of Panaetius with the Scipionic circle is well known.

Laelius...sapiens: see Lael. § 7 and p. 15 of the Introduction to my ed.

Polybion

esset (nec enim sequitur ut, cui cor sapiat, ei non sapiat palatus), sed quia parvi id duceret.

O lapathe, ut iactare, nec es sati' cognitu' qui sis!

1 enim sequitur ut cui: *ergo sequer et B.* 3 ut: *et E.* 3 nec es sati': *ne cessatis AB; necesse est al.* 3 cognitu' qui: *sic AB; cognitu quis E.*

1. **cor sapiat**: apart from the phrase *cordi est*, *cor* is hardly found in ordinary prose excepting when the bodily heart is meant. Cicero had in mind here doubtless some passage of an old writer, possibly a jest of Lucilius on the two senses of *sapere*. [There seems to be a gross jest on *sapiat* in Mart. 11, 90 where probably the same book of Lucilius is quoted from which Cicero quotes hereabouts.] In archaic Latin *cor* was the seat of the understanding; in Tusc. 1, 18 Cicero quotes *Corculum* (name of a Nasica) and 'egregie cordatus homo.' So all through popular Latin; see Rebling, 'Charakteristik der römischen Umgangssprache,' ed. 2, p. 20. Petronius 75 uses *corcillum* for 'one's wits,' *corcillum est quod homines facit*. In Plaut. Cas. 837 *corculum* is a term of endearment; cf. our 'sweetheart' and 'dear heart' in old letters. Cf. § 91 hoc est non modo non cor habere sed ne palatum quidem, with which cf. Petron. 59 cor non habebas.

2. **parvi duceret**: *Draeger*, § 201, 4 says that no parallel is quoted from elsewhere for this expression; he mentions *pensi ducere* in Val. M. 2, 9, 3. But cf. Att. 7, 3, 8 pluris ea duxit quam omnem pecuniam; Sall. Jug. 32, 5 minoris d. A curious ex. of *ducere* is in Ad Herenn. 4, 28 neminem prae se ducit hominem. [Cf. 4, 57 minoris aestimanda ducebat.]

id: here generic, 'that kind of thing'; see note on § 17 hoc ipsum.

3. **o lapathe**, etc.: probably from the fourth book of Lucilius' satires, which, as the scholiast on Pers. 3, 1 says, chastised the luxury and vices of the wealthy.

ut iactare: *Munro* in *Journal of Philology*, VII, 299, rightly condemns L. Müller's interpretation 'laudaris' (an error to be found generally in the commentaries and translations); the sense is 'thou art flouted,' 'tossed aside'; so Plaut. Rud. 374; Cic. Att. 4, 9; 11, 16, 3; Fam. 1, 5 b, 1; div. in Caec. 45. Doubtless Lucilius (who borrows much from Greek philosophy which has not been recognised by his interpreters) was stirred to praise the *lapathus* by Epicurus, who frequently preached the

lesson that a dinner of herbs with peace is better than a stalled ox with strife. Cf. Hieron. adv. Jovin. 11, 11, t. 11, p. 340 c Vall. Epicurus voluptatis assertor omnes libros suos replevit oleribus et pomis; Porphyry. de abst. 1, 48 τῶν γὰρ Ἐπικουρείων οἱ πλεῖστοι ἀπ' αὐτοῦ τοῦ κορυφαίου ἀρξάμενοι μάξῃ καὶ τοῖς ἀκροδρόοις ἀρκούμενοι φαίνονται: Plut. n. p. s. vivi p. 1097 d ἐν μάξῃ καὶ φακῇ τὸ ἡδίστον (from Epic.); Aelian, var. hist. 4, 13 ('Ἐπικούρος) ἔλεγεν ἐτοίμως ἔχειν καὶ τῷ Διὶ ὕπερ εὐδαιμονίας διαγωνιζέσθαι μάχην ἔχων καὶ ὕδωρ: Lactant. 3, 17, 5 discit (ab Epicuro) aqua et polenta vitam posse tolerari. The Stoics were bound to rival the Epicureans in these injunctions. Sen. ep. 110, 18 puts the very words of Epic. into the mouth of a Stoic: 'habemus aquam, habemus polentam, Jovi ipsi controversiam de felicitate faciamus'; cf. too what Philemon ap. Meineke Com. 4, p. 29 says of Zeno: 'πενὴν διδάσκει καὶ μαθητὰς λαμβάνει' εἰς ἄρτος, ὄψον ἰσχάς, ἐπιπνέειν ὕδωρ'; and *Ζηνῶντων φακὴν*, Timon in Bergk's Anth. Lyr. p. 138. Varro in his 'Modius' undoubtedly had both Epicurus and Lucilius in mind when he wrote (ed. Bicheler, § 318): 'hanc eandem voluptatem tacitulus taxim consequi lapathio et ptisana possim' [*tacitulus taxim*, a slang phrase 'mum and 'easily,' also in § 187 and *tacitus taxim* in Pomp. ap. Ribbeck 23]. In the same 'Modius' there is (§ 315) a passage insisting on the difference between Epicurus and the gluttons (*ganeones*), and Epicurus' views about *λιτότης βίου* are obvious in other fragments of the satire, and probably coloured the whole of it. [§ 317 begins with *putat* which most likely had Epicurus for its subject.] With the passage from the 'Modius' just quoted we may compare another from the 'σκιαμαχία,' viz. 'hoc dico, compendiaria sine ulla sollicitudine ac molestia ducundi (gen. of gerund) ad eandem voluptatem posse perveniri'; here the 'short cut' to pleasure is doubtless that indicated by Epicurus. It may be noted that this 'σκιαμαχία' contains a quotation from Lucilius; cf. § 508 with § 417. The praise

In quo Laeliu' clamores σοφὸς ille solebat
Edere compellans gumias ex ordine nostros.

Praeclare Laelius, et recte σοφός, illudque vere:

O Publi, o gurgēs, Galloni! es homo miser, inquit.

5 Cenasti in vita numquam bene, cum omnia in ista

Consumis squilla atque acupensere cum decimano.

Is haec loquitur qui in voluptate nihil ponens negat eum bene
cenare, qui omnia ponat in voluptate, et tamen non negat

1 Laeliu': cognitu laelius AB. 1 σοφὸς: sophos AB, ut infra. 2 gumias:
ita A; guimas BE. 3 illudque vere: illud vere B. 4 miser: ita A²; miseri A¹B.
5 cenasti: cenastis B. 5 ista: isto A. 6 consumis: cū sumis A¹. 6 acupensere:
accubans aere AB; accubant aere E. 6 decimano: ita A; decimacio B. 7 haec:
hic B. 8 qui: quia B. 8 ponat: ponit B. 8 non: om. AB.

of the simple vegetable is widespread. Erasmus in his *Adagia* quotes Rodolphus Agricola as attributing to the Greeks a proverb: 'egregia de lente,' which Erasmus thinks was in Greek *δενὰ περὶ φακῆς*: cf. Hudibras 1, 1 mira de lente, as 'tis in th' adage, | id est to make a leek a cabbage; but this interpretation is more like another proverb given by Crates ap. Bergk., Anth. Lyr. p. 128 *μὴ πρὸ φακῆς λοιπάδ' αἰξῶν* | *εἰς στάσιν ἄμμε βάλῃς*. The whole of Horace's ep. 1, 12, where he recommends living on herbs and nettle, has an Epicurean ring; in epod. 2, 57 he praises *lapathus* and *malvae*; cf. Cat. agr. 157, 1 on the 'brassica pythagorea.'

nec es sati' cognitu': cf. Crates (or Teles) ap. Bergk., Anth. Lyr. p. 129 *οὐκ οἶσθα πῆρα δῖναμιν ἡλίκην ἔχει θέρμων τε χολνίξ καὶ τὸ μηδενὸς μέλειν*: Fabianus Papirius ap. Sen. Rh. contr. 2, 1, 13 o pauperies quam ignotum bonum es! and Virgil's sua si bona norint.

1. σοφός: at a much earlier time a Sempronius received the title. Possibly *ut* has fallen out before this word.

2. gumias: ἀπὸ τοῦ γέμειν, says L. Müller (from Scaliger). Paul. ex F. p. 112, connects it with *gula*, absurdly; Stowasser in Archiv 8, 444, makes it a word borrowed from Semitic, but his reasons are not plausible. Non. 117 quotes another passage from Lucilius (30, 45 Müller) for *gemiae* (so the codd.), which Müller changes to *gomiae*. Cf. Apul. apol. 57 *gumiae* cuiusdam et desperati lurconis (*lurco* is a Lucilian word).

4. Publi...Galloni: Hor. s. 2, 2, 46 refers to this passage of Lucilius: 'haud ita pridem | Galloni praeconis erat acupensere mensa | infamis'; cf. pro Quinct.

94. Possibly, like the more celebrated *praeco* Granius, this Gallonius was tolerated in the aristocratic society of the satirist's time.

gurgēs: the word attached itself as a nickname to Q. Fabius Maximus, consul in 292 and 276 B.C.

5. cum...consumis: Draeger § 570 says that after the time of Plaut. and Ter. the adversative clause with *cum* ('though') always has the subjunctive; but see Hale, 'Cum-constructions,' p. 216 sq. where exx. of *cum tamen* are given, even from Cicero, with the indic., which is found in most poets (particularly Lucret. from whom Hale only quotes 4, 1204). L. Müller illustrates *cum...atque cum* from Lucilius; there are a good many parallels in Lucretius.

6. squilla: Mayor and Friedländer on Juven. 5, 81.

acupensere: for this and other spellings (*acipenser*, *aquipenser*) see authorities in Georges, Lexikon d. lat. Wortformen, s. v.; add *aquipenser* in Corp. Gloss. Lat. 2, p. 18, l. 44. Cf. Fat. fr. 5 (*acupenser*) est piscis, ut ferunt, in primis nobilis; a fragment of Plaut. Bacaria ap. Macrob. 3, 16, 1 quis est mortalis tanta fortuna affectus umquam | qua ego nunc sum? quouis haec ventri portatur pompa: | vel nunc, qui mihi in mari acipenser latuit antehac, | quouis ego latus in latebras reddam meis dentibus et manibus.

decimano: the sense here has no reference to the tithe-gatherer (as has often been erroneously thought) but is related to the *decimus* or *decumanus fluctus*; Paul. ex F. 71 also gives *decumana ova*, 'quia sunt magna, nam et decimum ovum maius nascitur et fluctus decimus fieri maximus dicitur.'

libenter umquam cenasse Gallonium (mentiretur enim), sed bene. Ita graviter et severe voluptatem secernit a bono. Ex quo illud efficitur, qui bene cenent, omnis libenter cenare, qui libenter, 25 non continuo bene. Semper Laelius bene. Quid bene? Dicit Lucilius:

5

cocto,

Condito,

sed cedo caput cenae:

sermone bono,

quid ex eo?

10

si quaeris, libenter;

veniebat enim ad cenam, ut animo quieto satiaret desideria naturae. Recte ergo is negat umquam bene cenasse Gallonium, recte miserum, cum praesertim in eo omne studium consumeret.

1 umquam cenasse: *cenasse umquam* B. 1 sed bene: ita A¹B; *si bene* A².
4 dicit: *dicit* B. 12 enim: *autem* E. 12 ut animo: *ut in animo* B. 13 is negat
umquam: *his negatum quam* A¹B. 14 in eo: om. B. 14 studium: om. E.

2. **secernit**: Epict. fr. 27 τὸ καλὸς ζῆν τοῦ πολυτελεῶς διαφέρει.

4. **non continuo**: not uncommon; so below, 4 §§ 30, 75. Cicero has not *non statim* (Ad Herenn. 4, 6, followed in § 7 by *non continuo*). See Landgraf on S. Rosc. 94.

6. **cocto**: Lucilius wrote *bene* before *cocto*; cf. Att. 13, 52, 1 (of the dinner Cicero gave to Caesar after Pharsalia) edit et bibit ἀδεῶς et iucunde, opipare sane et apparet, nec id solum, sed 'bene cocto, condito, sermone bono et, si quaeri' libenter.' L. Müller insists that Cicero misunderstands the words, and that the poet meant *sermone* to depend on *condito* ('seasoned with'). In that case cf. Cato m. 10 comitate condita gravitas.

8. **caput cenae**: Tusc. 5, 98 (of Spartans) iure nigro quod caput cenae erat.

12. **veniebat...naturae**: exactly what Epicurus would praise; the very phrase *desideria naturae* is Epicurean (§ 27); for the phrase cf. 3, 37 studia naturae; also Sen. d. 7, 20, 5; 9, 9, 2 d. naturalibus.

14. **recte miserum**: 'durissime hoc loco ex *negat* auditur *dicit*, non solum ob propinquitatem, sed quod idem adverbium repetitur, ut eadem verbi notio ipsa anaphorae figura servari videatur, et quod variatur paulum significatio, ut sit *appellat*' (Madvig). After quoting as somewhat harsh the exx. in 1, 61; 2, 68; 4, 22, 69; 5, 88, he says: 'nullus tamen locus hoc, de quo agimus,

durior, ut excusetur Lambinus qui *recte dicit* scripsit; probari non debet.'

cum praesertim: this combination of particles has caused more trouble than was necessary to grammarians and commentators. In reality each particle preserves its force in the combination, and is unaffected in its meaning by the other. The function of *praesertim* is merely to draw special attention to the clause with which it goes. Madvig quotes Orat. 32 nec vero si historiam non scripsisset nomen eius exstaret, cum praesertim fuisset honoratus et nobilis, calling it a 'locus mire ab interpretibus vexatus'; Orelli, he says, would have seen the drift of it 'si non *cum* sed *cum praesertim* pro *quamvis* accepisset.' But the sense is 'although (mark this well), etc.' It is not unnatural, therefore, that *praesertim* should be attached to *cum*-clauses of opposite kinds, the causal-confirmative kind and the adversative-negative kind; in the first case the combination comes to be equivalent to 'and particularly as,' in the second to 'and that although.' In the same way *praesertim* may attach itself to the adversative, as well as to the causal *qui*-clause. It is not always easy to determine from a context which of these two forces *qui* or *cum* has when used alone; and the ambiguity naturally remains sometimes when *praesertim* is added. Either sense will suit the passage before us perfectly well. Madvig, indeed, protests

Die erste Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 100. Diese Summe ist 5050. Die zweite Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 1000. Diese Summe ist 500500. Die dritte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 10000. Diese Summe ist 50005000.

Die vierte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 100000. Diese Summe ist 5000050000. Die fünfte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 1000000. Diese Summe ist 500000500000. Die sechste Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 10000000. Diese Summe ist 50000005000000. Die siebte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 100000000. Diese Summe ist 5000000050000000.

Die achte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 1000000000. Diese Summe ist 500000000500000000. Die neunte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 10000000000. Diese Summe ist 50000000005000000000. Die zehnte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 100000000000. Diese Summe ist 5000000000050000000000. Die elfte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 1000000000000. Diese Summe ist 500000000000500000000000. Die zwölfte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 10000000000000. Diese Summe ist 50000000000005000000000000. Die dreizehnte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 100000000000000. Diese Summe ist 5000000000000050000000000000. Die vierzehnte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 1000000000000000. Diese Summe ist 500000000000000500000000000000. Die fünfzehnte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 10000000000000000. Diese Summe ist 50000000000000005000000000000000. Die sechzehnte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 100000000000000000. Diese Summe ist 5000000000000000050000000000000000. Die siebzehnte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 1000000000000000000. Diese Summe ist 500000000000000000500000000000000000. Die achtzehnte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 10000000000000000000. Diese Summe ist 50000000000000000005000000000000000000. Die neunzehnte Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 100000000000000000000. Diese Summe ist 5000000000000000000050000000000000000000. Die zwanzigste Aufgabe ist die Bestimmung der Summe der Zahlen 1 bis 1000000000000000000000. Diese Summe ist 500000000000000000000500000000000000000000.

duo enim genera quae erant, fecit tria. Hoc est non dividere, sed frangere. Qui haec didicerunt quae ille contemnit, sic solent: 'Duo genera cupiditatum, naturales et inanes, naturalium duo, necessariae et non necessariae.' Confecta res esset. Vitiosum est
 27 enim in dividendo partem in genere numerare. Sed hoc sane 5 concedamus; contemnit enim disserendi elegantiam. Confuse loquitur; gerendus est mos, modo recte sentiat. Equidem illud ipsum non nimium probo et tantum patior, philosophum loqui de cupiditatibus finiendis. An potest cupiditas finiri? Tollenda est atque extrahenda radicitus. Quis est enim in quo sit cupiditas, 10 quin recte cupidus dici possit? Ergo et avarus erit, sed finite, et adulter, verum habebit modum, et luxuriosus eodem modo. Qualis ista philosophia est quae non interitum afferat pravitatis,

1 erant: erat A¹. 1 fecit: om. B. 2 qui haec...solent: haec verba in multis codd. desunt. 3 inanes: inane B. 4 esset: essent B. 5 numerare: nominare B. 6 enim: om. B. 7 equidem: ita B; et quidem A. 8 tantum: tñ A; tñ (tamen) B. 8 loqui: om. B. 11 quin: qui non B.

1. duo genera: curiously, Epicurus does go to work exactly in this fashion in his letter to Menoeceus ap. Diog. L. 10, 127.

dividere...frangere: Sen. ep. 89, 2 philosophiam in partes, non in frusta dividam.

4. vitiosum: often of logical faults; so 4, 50; Acad. 2, 93.

5. partem in genere: cf. Herc. pap. 19-698, col. 2, l. 9 (Scott, p. 258): τὸ εἶδος εἶναι φάσκοντες γένος: the same fault as is criticised here.

in genere: for in as connecting two things assumed to be equivalent see Draeger § 170, 3 c. But he does not clearly distinguish the exx. where the two matters connected by in are related as part to whole, and those in which the two are on a level. Cf. Rep. 4, 10 artem ludicram in probro ducerent; Plin. n. h. 6, 35 in probro existimatur.

6. confuse: the word and its cognates often indicate want of logical precision, especially as regards subdivision, partition and definition; see my note on Acad. 2, 47, and add to the illustrations there quoted, Off. 1, 95; Verr. 2, 4, 87 disposite accusare, as opposed to Sest. 5 confusa atque universa defensio; Fin. 5, 67 confusio virtutum...distinguitur; Corp. Gl. Lat. 5, p. 663, l. 58 perplexe loquitur.

9. an...finiri: this is Stoic doctrine, which even the Stoicising Antiochus can hardly have accepted; see 3, 35 n.;

cf. Us. § 471. In what follows there is a good deal of quibbling. It appears below that Cicero would not have objected to the substance of Epicurus' doctrine, had he used some other word than ἐπιθυμία.

10. quis est, etc.: cf. Tusc. 4, 57 quis enim potest in quo libido cupiditasve sit, non libidinosus et cupidus esse? The whole context there is like the present passage.

11. quin: as to the difference between qui non and quin Madvig says: 'mihi et multo saepius quin a scribis dissolutum videtur, quam qui non contractum, et ubi non simpliciter praecedat quis est, nemo est, sed, ut h. l., definitio quaedam (in quo sit cupiditas) ex qua aliquid necessario sequatur, fere semper dici quin.' But in Cicero nemo est quin, quis est quin are far commoner than nemo est, quis est qui non. See note on 5, 32.

12. habebit modum: I know of no instance of such a phrase as aliquis habet modum, though impersonal subjects are found (below, 3, 45; Cato m. 85). Possibly habebit has an indefinite subject, τὸ πρᾶγμα, or it is a corruption of adhibebit. Cf. Clu. 191 mulieris modus, 'moderation.'

13. qualis, etc.: cf. 4, 22 quae est igitur ista philosophia quae communi more in foro loquitur, in libellis suo?

int. aff. pravitatis: for the gen. cf. § 118 voluptatis aditus intercludat. In

you cannot
 'limit'
 passion or
 desire

II 28] DE FINIBVS BONORVM ET MALORVM 141

sed sit contenta mediocritate vitiorum? Quamquam in hac
 divisione rem ipsam prorsus probo, elegantiam desidero. Appellet
 haec desideria naturae, cupiditatis nomen servet alio, ut eam,
 cum de avaritia, cum de intemperantia, cum de maximis vitiis
 5 loquetur, tamquam capitis accuset. Sed haec quidem liberius 28
 ab eo dicuntur et saepius. Quod equidem non reprehendo; est
 enim tanti philosophi tamque nobilis audacter sua decreta
 defendere. Sed tamen ex eo quod eam voluptatem, quam omnes
 gentes hoc nomine appellant, videtur amplexari saepe vehe-
 10 mentius, in magnis interdum versatur angustiis, ut hominum

2 rem ipsam: remissionem A; remissam B. 2 probo: ita B; probam A¹;
 reprobo A². 2 appellet: appellat B. 5 quidem: quae A. 7 tamque: tantique B.
 7 audacter: audaciter B. 9 hoc: om. B. 9 saepe vehementius: vehem. saepe B.

a note on Acad. 2, 19, fidem faciat sui iudici, I have discussed some genitives of this kind, especially those with *fidem facere, modum f., finem f.*, and have pointed out that in the best writers the genitive more commonly follows such expressions than the dative. The dative of the gerund hardly occurs. In Pl. Asin. 882 (ed. Leo) nearly all edd. read (against the mss.) *quidmodi amplexando facies?* Many make a similar change in 167 qui modus dandi; these changes are groundless. It is much more likely that the dative is corrupt in Mil. 1311 *quidmodi flendo quae hodie facies?* Madvig suspects the reading of De Or. 3, 104 *locis quos ad fidem orationis faciendam adhiberi dixit Antonius*; but the reason he gives 'quia *fides orationis* vix sic absolute dicitur,' is surely untenable; the passage is in no way distinguishable from many others. He condemns also Liv. 3, 59, 1 *inhibito modo nimiae potestatis* (so codd.), but the passage may well be sound; *modus n. potestatis* would stand by itself (see my note on Acad. 2, 27), and there is no apparent reason why *modus n. p.* should not be object to *inhibere* as well as *imperium, supplicia*, etc.

1. *mediocritate*: the Aristotelian μεσότης.

quamquam...desidero: note on *an...finiri* above. For *rem ipsam probo* cf. Tusc. 5, 93 qu. in note on § 26 *divisit ineleganter*.

3. *alio*: 'for another purpose'; perhaps here only in Cicero with this sense; Livy has *alio relinqui, nasci*, 4, 54, 7 and 7, 18, 7; somewhat of the same sense attaches to *alio spectare, respicere*.

7. *nobilis*: 'famed'; a common

enough sense of the word but one which has sometimes caused misunderstandings. Thus some editors inferred from a jest of Cicero's on the *nobilitas* of Democritus in Acad. 2, 125, that he regarded D. as noble by birth (see my note there) and a similar mistake has been made about the *nobilitas* of Pythagoras, mentioned in Tusc. 4, 2. Cf. Qu. Cicero pet. cons. 12 qui nequam sunt tam genere insignes quam vitiis nobiles; pro Quinct. 69 (of a democrat) ut nobili ne gladiator quidem faveret; Phaedr. 1, 14, 12 stupore vulgi factum nobilem. The application to philosophers is very frequent.

nobilis

audacter: the spelling *audaciter* in B may well be right, in spite of the fact that Quintilian and Charisius reject it; see the evidence in Neue-Wagener, II, 684.

decreta: = δόγματα, as often; see my note on Acad. 2, 27. The word *dogma* is treated as Latin below, § 105, and in Acad. 2, 106, 133 and occasionally elsewhere (even in Juvenal and Martial) but never became thoroughly acclimatized until a very late period, though Laberius, in Cicero's time, had ventured on an accusative *dogmam*.

9. *amplexari*: 2, 43; 4, 36.

10. *hominum conscientia*: cf. §§ 53-60 and 3, 38 *tenebras et solitudinem nacti* (in a passage directed against the Epicureans). Plut. Col. c. 34, 1127 d quotes from the 'διαπορίαι' of Epicurus: 'εἰ πράξει τινα ὁ σοφὸς ὧν οἱ νόμοι ἀπαγορεύουσιν, εἰδὼς ὅτι λήσει;' καὶ ἀποκρίνεται 'οὐκ εὐδον τὸ ἀπλοῦν (ῥ' οὐτε ἀπλοῦν) ἐστὶ κατηγορήμα,' and remarks τοῦτ' ἐστὶ, πράξω μὲν οὐ βούλομαι δὲ ὁμολογεῖν. Cf. Leg. 1, 41; Off. 3, 77.

conscientia remota nihil tam turpe sit quod voluptatis causa non videatur esse factururus. Deinde, ubi erubuit (vis enim est per magna naturae) confugit illuc ut neget accedere quicquam posse ad voluptatem nihil dolentis. At iste non dolendi status non vocatur voluptas. Non laboro, inquit, de nomine.—Quid quod 5 res alia tota est?—Reperiam multos, vel innumerabilis potius, non tam curiosos nec tam molestos quam vos estis, quibus quicquid velim facile persuadeam.—Quid ergo dubitamus quin, si non dolere voluptas sit summa, non esse in voluptate dolor sit maximus? cur non id ita fit?—Quia dolori non voluptas contraria 10 est, sed doloris privatio.

29 X. Hoc vero non videre, maximo argumento esse voluptatem illam qua sublata neget se intellegere omnino, quid sit bonum! (eam autem ita persequitur: quae palato percipiatur, quae auribus; cetera addit, quae si appelles, honos praefandus sit) 15 hoc igitur quod solum bonum severus et gravis philosophus

1 quod: *quid* B. 1 causa non videatur: *videatur causa* B. 2 deinde: *deinde* enim B. 2 enim est: *est* (om. *enim*) BE. 4 nihil: *nichi* E. 10 maximus: *maximis* A¹. 10 non id: *id non* B. 15 honos: *bonos* BE. 15 praefandus: *praefraudus* E; *perfraudus* B.

2. *erubuit*: N.D. 1, 111 (voluptates) non erubescens persequitur omnis nominatim.

vis...naturae: a similar parenthesis in S. Rosc. 63 magna est enim vis humanitatis; cf. below § 58 and 5, 32 maxime in hoc quidem genere perspicua est vis naturae. Mil. 61 (conscientiae); Cat. 3, 27 (id.); Cael. 63 (veritatis). Epict. d. 2, 20, 15 ascribes the inconsistencies of Epicurus to φύσις; cf. fr. 52 (Schw.) καὶ τοὶ δέδωκε μοι ἡ φύσις αἰδῶ καὶ πολλὰ ὑπερ-υθρίῳ ὅταν τι ὑπολάβω αἰσχροὺν λέγειν. τοῦτό με τὸ κίνημα οὐκ ἐξ τῆν ἡδονῆν θέσθαι ἀγαθὸν καὶ τέλος τοῦ βίου. See note on § 49 natura victus. [I think that Cicero wrote in De Or. 1, 196 patria... cuius rei tanta est vis et tanta naturae (mss. natura) ut.... Tanta natura is hardly Latin, but cf. Div. 2, 29.]

4. *non dolendi status*: so § 32.

5. *non laboro*: Tusc. 2, 29 concludunt ratiunculas Stoici cur non sit (dolor) malum; quasi de verbo non de re laboretur.

6. *innumerabilis*: the *rustici*.

7. *molestos*: cf. Acad. 2, 75.

9. *dolor sit maximus*: see Plut. qu. in note on 1, 37 doloris privatio.

12. *hoc vero non videre*: exactly the same exclamatory infinitive occurs

below, 4, 76 hoc non videre. The usage is very common in the old drama and in Cicero; and becomes much less frequent afterwards. By many authors it was avoided altogether (among them Caesar and Tacitus); Livy has only one example. Draeger § 154, 3 can find only two instances to quote from classical poets, Hor. s. 1, 9, 72 and Virg. Aen. 1, 37, but many others exist, as Hor. epod. 8, 1; 11, 11; sat. 2, 4, 83; 2, 8, 67; Virg. Aen. 1, 97. I have no doubt that in the much disputed passage of Lucr. 2, 16 the mss. reading 'nonne videre nil aliud sibi naturam latrare,' is correct, though it gives the only example of this infin. in Lucr.

14. *persequitur*: cf. N.D. qu. above, note on § 28 erubuit.

15. *appelles*: 'mention'; below § 51 verborum, quae appellantur; for this sense cf. my note on Acad. 1, 25 and De Or. 2, 65; 3, 167.

honos praefandus: so Fam. 9, 22, 4; Plin. n. h. 7, 171 praefandi humoris e corpore effluvium; Quintil. 8, 3, 45 in praefanda videmur incidere. Cf. below § 68.

16. *igitur*: note on 1, 4.

severus et gravis: above, § 24 graviter et severe.

maximus

novit, idem non videt ne expetendum quidem esse, quod eam voluptatem hoc eodem auctore non desideremus cum dolore careamus. Quam haec sunt contraria! Hic si **definire**, si dividere 30 *no logic* didicisset, si loquendi vim, si denique consuetudinem verborum 5 teneret, numquam in tantas **salebras** incidisset. Nunc vides quid faciat. Quam nemo umquam voluptatem appellavit, appellat; quae duo sunt, unum facit. Hanc **in motu** voluptatem (sic enim has suavis et quasi dulcis voluptates appellat) interdum ita extenuat ut M'. Curium putes loqui, interdum ita laudat ut quid 10 praeterea sit bonum neget se posse ne suspicari quidem. Quae iam oratio non a philosopho aliquo sed a censore opprimenda est. *Inconsistency*

1 videt: *vidit* B. 3 hic...incidisset: affert Nonius, p. 177. 3 si dividere: ita B et Nonius; *individere* A¹; *vel dividere* A². 4 didicisset: *potuisset* Nonius. 8 has suavis: *suaves* has B. 9 M': *Marcum* AB; M. codd. ceteri. 9 putes: *potes* A¹. 10 ne: *nec* E. 11 est: om. B.

1. **novit**: §§ 7, 8.
quod...eodem auctore, etc.: as Madvig remarks, the sense of this is *quod is nos moneat et hortetur ne desideremus, not tradat nos non desiderare*. The abl. *auctore aliquo* is not used merely to indicate that a fact is *stated* on the authority of someone other than the speaker or writer. The word *auctor* carries with it the notion of influence exerted and modifying action or belief. Such a sentence as the following is late and exceptional: Plin. n. h. 4, 9 Peloponnesus circuitu DLXIII. M. passuum colligit, auctore Isidoro.

3. **quam...contraria**: for the separation see my note on Acad. 2, 83.

4. **loquendi vim**: § 17 consuetudinem verborum: § 16 cognitiones verborum.

5. **salebra**: 5, 84 haeret (oratio) in salebra; Orat. 39; cf. too div. in Caec. 36 intellego quam scopoloso difficilique in loco verser.

6. **appellavit, appellat**: a common trick of style; so Sull. 32 res publica, quae domesticos hostis ne ab eis ipsa necaretur necavit; Phil. 2, 114 quod nemo fecerat, fecerunt; Planc. 91; Off. 2, 79; Tusc. 3, 14. See note on § 68.

8. **suavis et quasi d.**: n. on 1, 39; 1, 47; perhaps *ποσσηνείς* was the Greek word (Plut. 1122 e, cf. 786 c).

interdum...interdum: according to Wölfflin, Archiv 2, 243, there is only one passage in Latin of earlier date than this (Fam. 7, 17, 1) where one *interdum* corresponds with another, as here. Cicero

too introduced *tum...tum*; Lucretius *nunc...nunc*; Virgil *iam...iam*; Ovid *saepe...saepe*. *Interim...interim* is not older than Seneca. The use of *interim* for *interdum*, though given by mss. in Rosc. Am. 80, is later than Cicero.

9. **extenuat**: 'refines away'; Tusc. 5, 94 multa ab Epicureis disputantur, eaeque voluptates singillatim extenuantur.

10. **neget**: cf. my note on Acad. 1, 7.

11. **non a philosopho**, etc.: cf. 1, 51.

a censore: 'non *philosopho*—*censori* hoc quidem loco Cicero dixit, quod non ad cuius officium hoc pertineat sed cuius opera ad eam rem utendum sit, significat....Nec tamen id ad omnes locos, in quibus *ab* cum gerundivo coniungitur, pertinet' (Madvig). The construction is especially common in Cicero, but this, I think, is the only ex. in the philosophical writings. In a note on Caec. 33 Jordan has well classified the Ciceronian exx.: (a) those in which the motive is desire for clearness, as where a verb such as *consulere* already takes a dat. (e.g. pro imp. Cn. P. 6), or the dat. with the gerundive might easily be mistaken for a dat. of another class, as e.g. Phil. 14, 11 supplicatio ab eo, qui ante dixit, decernenda non fuit; (b) instances where desire for symmetry has prevailed, as in Mur. 54 locus perpur-gatus ab eis qui ante me dixerunt, a me, quoniam ita Murena voluit, retractandus; (c) exx. in which (as here) stress is laid on the idea of agency. In De Or. 2, 86 nam neque is qui optime potest,

Non est enim vitium in oratione solum sed etiam in moribus. Luxuriam non reprehendit, modo sit vacua infinita cupiditate et timore. Hoc loco discipulos quaerere videtur, ut qui *asoti* 31 esse velint philosophi ante fiant. A primo, ut opinor, animantium ortu petitur origo summi boni. Simul atque natum animal est, 5 gaudet voluptate et eam appetit ut bonum, aspernatur dolorem ut malum. De malis autem et bonis ab eis animalibus, quae nondum depravata sint, ait optime iudicari. Haec et tu ita posuisti, et verba vestra sunt. Quam multa vitiosa! Summum enim bonum et malum vagiens puer ultra voluptate diiudicabit, 10 stante an movente? quoniam, si dis placet, ab Epicuro loqui

2 sit: *si* B. 5 animal: *animale* AB. 7 ut malum: *et malum* A¹. 8 sint: *sunt* A. 8 iudicari: *iudicare* A¹. 11 an: *ante* AB; in A syllaba *te* est extra versum, fortasse a sec. m. 11 dis placet: *displacet* B. 11 loqui discimus: *discimus loqui* B.

deserendus ullo modo est a cohortatione nostra, neque is qui aliquid potest deterendus, the abstract phrase *coh. nostra* seems to stand for *nobis cohortantibus*; it is possible (with Wilkins, *ad loc.*) to regard *a* as meaning 'in respect of,' but less likely. The constr. in question first appears in the treatise ad Herenn., and is rare outside Cicero's writings; Brut. ap. Fam. 11, 20, 3; Liv. 9, 40, 16; 44, 22, 12; Sen. ep. 65, 3; Lactant. (ap. Draeger § 189, 1).

3. hoc loco: like *hic*.

disc. quaerere: 'to be making a bid for converts'; cf. the half-slang phrase *opus quaerere*, 'to be on the lookout for a job'; Liv. 5, 3, 6 tamquam artifices improbi, opus quaerunt; Tusc. 3, 81 haec Graeci in singulas scholas et in singulos libros dispertiant; opus enim quaerunt. Cicero's phrase reminds us of the title of a comedy by Alexis, 'ἀσωτο-διδασκαλος,' in which reference was undoubtedly made to Epicurus. The structure of the word *discipulus* is strange; Stowasser in Archiv 5, 289 disconnects it from *discere* and tries to connect it with *dis-capio*, on the strength of *capulus*, *concupilare*, *decipula*, *excipulum*, *muscipula*, *disceplare*. Bréal, lb. 579 assumes *discipulus* to have been constructed by false analogy from *manipulus*, to mean in the first instance 'a band of learners.'

5. petitur: 1, 30 n.

animal: in spite of *animantium* just before, cf. N.D. 2, 42 in ea parte quae sit ad gignenda animantia aptissima, animal gigni nullum. Cicero does not, I

think, use *animans* in the nom. sing.; on the other hand, the plural of *animal* rarely occurs in his writings. Out of fourteen exx. quoted by Merguet from the philosophical works, eight come from the De Finibus, viz. here, § 31; 5, 25 (*bis*); 5, 26 (*ter*); 5, 33 (*bis*). [Neue, 1¹, 186, and Georges, Wortf. s. v. *animal*, qu. Lucr. 3, 635 for *animale* as a form of the noun, but the ex. is not sound. In N.D. 3, 36 the codd. give *animal* where *animale* would be natural. See Havet's ed. of Phaedrus, p. 180.]

8. tu...vestra: for the sudden change from the individual to the school cf. De Or. 1, 160 tum Scaevola, 'quid est, Cotta,' inquit, 'quid tacetis?' with Wilkins' note.

10. vagiens puer: cf. 1, 71 infantes pueri.

11. stante an movente: see note on 1, 37 (solam). The words that follow are curious. In Cicero's original there must have been *καταστηματική* to which the writer objected as an outlandish phrase. The other terms used by Epic. like *ἡδονὴ ἐν στάσει* would not afford ground for the objection. Cicero preserves the colouring of the original by employing somewhat unusual Latin. Cf. Tusc. 4, 30 vitia adfectiones sunt manentes, perturbationes autem moventes. For the quasi-deponent use of *movens* see Neue-Wagener III, 12; Riemann, Études, ed. 1, p. 156; cf. the juridical expression *res moventes*, once used by Liv. 5, 25, 6.

si dis placet: the expression occurs at all periods of Latin, rarely without irony, as in Plaut. Capt. 454.

discimus. Si stante, hoc natura videlicet volt, salvam esse se, quod concedimus; si movente, quod tamen dicitis, nulla turpis voluptas erit quae praetermittenda sit, et simul non proficiscitur animal illud modo natum a summa voluptate, quae est a te
5 posita in non dolendo. Nec tamen argumentum hoc Epicurus a 32 parvis petivit aut etiam a bestiis, quae putat esse specula naturae, ut diceret ab eis duce natura hanc voluptatem expeti nihil dolendi. Neque enim haec movere potest appetitum animi, nec ullum habet ictum quo pellat animus status hic non dolendi.
10 Itaque in hoc eodem peccat Hieronymus. At ille pellit, qui permulcet sensum voluptate. Itaque Epicurus semper hoc utitur ut probet voluptatem natura expeti, quod ea voluptas quae in motu sit et parvos ad se alliciat et bestias, non illa stabilis in qua tantum inest nihil dolere. Qui igitur convenit ab alia voluptate
15 dicere naturam proficisci, in alia summum bonum ponere?

XI. Bestiarum vero nullum iudicium puto. Quamvis enim 33

6 aut etiam: ante et B. 6 specula: spicula B. 9 ictum: ritum E.
animus status: animi status codd.; corr. Victorius. 11 utitur: ita (superscr.
a sec. m. nititur) A; utatur B. 12 voluptas: vobis A¹. 14 nihil: non B. 14 qui:
quid codd.; corr. Lambinus.

1. salvam esse se: again we have a Stoic view represented.

2. tamen: here, as often, *tamen* does not merely indicate opposition to what has just been expressed, but takes a wider range; it is not 'nevertheless,' i.e. 'in spite of what has just been said,' but 'after all,' i.e. 'in spite of anything that can be said.'

nulla...sit: it is not usual for two clauses, one being categorical, and one causal, as here, to stand side by side without some connecting link. Either *aut* before *quae* might have been expected or *tam* before *turpis*.

5. argumentum: always 'proof' in good Latin, not 'argument'; but proof not embodied in anything external, such as circumstantial evidence, or tangible, as a legal instrument.

6. parvis: *parvi* is often thus substantively used for *pueri*; so below 3 §§ 16, 17; 5 §§ 31, 42, 43; see other exx. of this and *parvuli* (once in Caes. and common later) in an article by A. Funck in Archiv 7, 94.

quae putat, etc.: 'lenis est irrisio Epicuri a bestiis argumenta ducentis. Nam de pueris similiter alii philosophi loquebantur, apud ipsum Ciceronem Peripateticus Piso v, 61 et maxime 55'

(Madvig). But Cicero or his authority so far forgets the contention hereabouts as in § 109 to appeal to the testimony of the beasts against Epicurus; and there is a similar appeal both in the Stoic portion of the treatise (3 §§ 62, 3) and in the Peripatetic (5 § 38).

specula naturae: so 5, 61 in quibus (pueris) ut in speculis natura cernitur; cf. Pis. 71 tamquam in speculo.

8. appetitum: a common rendering of ὁρμή (cf. Off. 1, 101); but all the other passages in the De Finibus, where it is used, occur in the Peripatetic portion (the fifth book). Still commoner is *appetitus*, which we find twice in book 3 (§ 23, where see note, and § 49) and many times in book 4. Cf. *appetere*, above § 31, and 1, 30; *appetendi initia* 1, 42. *Expeti* above is αἰπεῖσθαι.

9. habet ictum: i.e. 'does not come within range, so as to strike.' The nearest parallels to this use of *ictus* are in phrases like *sub ictu esse*, and *extra ictum positus*.

14. ab alia...in alia: very similar criticisms are passed in book 4 on the Stoic scheme; cf. esp. §§ 26, 38, 39, 42, 43, 48.

16. bestiarum...puto: after assigning the fifth place in the scale of ἀγαθὰ to ἡδονή Socrates says in the Phileb. 67 B

depravatae non sint, pravae tamen esse possunt. Vt bacillum aliud est inflexum et incurvatum de industria, aliud ita natum, sic ferarum natura non est illa quidem depravata mala disciplina, *sed* natura sua. Nec vero ut voluptatem expetat natura movet infantem, sed tantum ut se ipse diligit, ut integrum se salvumque velit. Omne enim animal, simul et est ortum, et se ipsum et omnes partis suas diligit duasque quae maximae sunt in primis amplec-

1 sint: sunt A. 1 ut bacillum...ita natum: affert Nonius, p. 78 (om. de industria). 1 bacillum: *bacillum* A¹ et Nonius. 5 se: si A¹. 6 simul et: ita AB; simul ut edd. nonnulli. 6 est: om. AB.

πρῶτον δέ γε (sc. οὐ γίγνεται ἂν) οὐδ' ἂν οἱ πάντες βέβηκε τε καὶ ἔπποι καὶ τὰλλα σύμπαντα θηρία φῶσι τῷ τὸ χαίρειν διώκειν· οἷς πιστεύοντες, ὥσπερ μάντις δρῶσιν, οἱ πολλοὶ κρίνουσι τὰς ἡδονὰς εἰς τὸ ζῆν ἡμῶν εὐκρατίστας εἶναι κ.τ.λ. On the other hand, Arist. Eth. N. 10, 2, 4 ὥς δὲ καὶ ἐν τοῖς φαύλοις ἔστι τι φυσικὸν ἀγαθὸν κρείττον ἢ καθ' αὐτά, ὃ ἐφέται τοῦ οἴκου ἀγαθοῦ (the word ἀγαθόν is probably a gloss). Cf. Sen. ep. 124, 1 (argument against Ep.) in mutis animalibus et infantibus non esse (bonum).

iudicium: as often=κριτήριον.

2. *incurvatum*: the verb *incurvare* is found only in poets (beginning with Catullus), and later prose writers; here *incurvatum* has probably come (by assimilation to *inflexum*) out of *incurvom*; cf. Div. 1, 30 incurvom et leviter a summo inflexum bacillum; *incurvos* also is found in Verr. 2, 2, 87; and Ad Herenn. 4, 63; Varro r.r. 1, 50, 2. On the use of *curvos* and its cognates see a careful article by Ad. Müller in Archiv 3, 117 sq. and 236 sq. He shows that the simple *curvos* is avoided by the prose authors of the best and even of the silver age, excepting the technical writers.

3. *natura...natura sua*: careless writing; cf. nn. on 1 §§ 3, 56.

4. *nec vero...infantem*: Chalcid. in Tim. 204 admits that children tend to pleasure and gives a physical explanation.

5. *ut...velit*: this is the doctrine both of the Stoics, and of the later Peripatetics; cf. 3, 16 and 5, 24 and see notes there.

integrum se...velit: this omission of *esse* is common at all times in Latin; so 3, 57 liberis consultum volumus; see note on § 102.

6. *simul et est ortum*: the mss. give *simul et* here and in 5, 24; and the Med. ms. of the letters to Atticus gives four

exx., viz. 2, 20, 2; 10, 4, 12; 10, 16, 4; 16, 11, 6; while in Q.F. 2, 6, 3 the first hand of Med. gives *et*, the second *ut* (adopted by C. F. W. Müller). Madvig condemns as not Latin both *simul et* and *simul ut*, which latter has good mss. authority in Acad. 2, 51; Tusc. 4, 5; De Or. 2, 21; Planc. 14 (Erfurt ms. has *simul ut et*); Phil. 3, 2; Verr. 2, 1, 67; Att. 9, 9, 1; Ad Herenn. 4, 65. [In Lucan 6, 129 for *simul e campis* Hein-sius read *simul ut*, Bentley *simul ac*; s. *et* would have been better.] It is important to notice that in eleven out of fifteen Ciceronian exx. (with that from Ad Herenn.) of *simul et* and *simul ut*, a guttural or a vowel immediately follows, so that *ac* was impossible for Cicero (see my note on Acad. 2, 34). Madvig thinks that all the instances are due to the insertion of *at* or *et* by copyists in passages where *simul* stood for *simul ac*. If so why did not the copyists insert *ac* or *atque*? We have seen instances in which ancient writers used *et* for *ac* where a vowel followed (note on 1, 67) and we have an analogy in *similiter et*, *similis et* (note on § 21). For *simul ut* there are many analogies, such as *idem ut si* below, 4, 15; *eadem ut si* in Off. 1, 42 in eadem sunt iniustitia ut si; *eodem modo ut* Ad Herenn. 1, 10; Lucr. 2, 72 nec similest ut cum (where *ut* was probably written for the sake of avoiding *ac* before the guttural); *proinde ut* for *proinde ac* (always in Plaut. according to Brix on Capt. 304); *perinde ut*, varying in Cicero with *p. atque* and *ac*; *pro eo ut*; for *similiter ut si* see note on § 21. [*Simul et*=*Simul etiam*: Thomas on Verr. 5, § 3; Riemann, p. 529.]

7. *duasque quae...sunt*: the expression is loose, as though these were merely two among others. The argument here has a general resemblance to that in 5, 24 sq.; also 5, 37. Cf.

titur, animum et corpus, deinde utriusque partes. Nam sunt et in animo praecipua quaedam et in corpore, quae cum leviter agnovit, tunc discernere incipit, ut ea, quae prima data sint natura, appetat asperneturque contraria. In his primis naturali-
 5 bus voluptas insit necne magna quaestio est. Nihil vero putare esse praeter voluptatem, non membra, non sensus, non ingeni motum, non integritatem corporis, non valetudinem, summae mihi videtur inscitiae. Atque ab isto capite fluere necesse est omnem rationem bonorum et malorum. Polemoni et iam ante

3 agnovit: *novit* B. 3 tunc: ita A; *tum* B. 3 prima: *primo* B. 4 asperneturque: *aspernaturque* A¹. 4 primis: *primas* A¹. 7 corporis: hoc verbum post v. *valetudinem* habent AB; non *valetudinem* om. E.

Plut. n. p. s. vivi, c. 14 § 3 (1096 d) καίτοι τί γένοιτ' ἂν ἀλογώτερον ἢ δυοῖν δυοῖν ἐξ ὧν ὁ ἄνθρωπος πέφυκε, σώματος καὶ ψυχῆς, ψυχῆς δὲ τάξιν ἡγεμονικώτεραν ἐχούσης, σώματος μὲν ἰδίον, τι κατὰ φύσιν καὶ οἰκεῖον ἀγαθὸν εἶναι, ψυχῆς δὲ μὴθὲν κ.τ.λ. Cf. also Stob. Ecl. 2, 248 (from a Peripatetic source) φίλον εἶναι ἡμῖν τὸ σῶμα, φίλην δὲ τὴν ψυχὴν, φίλον δὲ τὰ τούτων μέρη καὶ τὰς δυνάμεις καὶ τὰς ἐνεργείας, ὧν κατὰ τὴν πρόνοιαν τῆς σωτηρίας τὴν ἀρχὴν γίγνεσθαι τῆς ὁρμῆς καὶ τοῦ καθήκοντος καὶ τῆς ἀρετῆς.

2. praecipua: Tusc. 4, 30 sunt in corpore praecipua...vires valetudo...sunt item in animo; cf. below, § 110 n.

leviter agnovit: cf. 5, 24 perspicere coepit (*in re simili*).

3. prima...natura: a rendering of τὰ πρῶτα κατὰ φύσιν, a phrase widely used, with varying sense, in the post-Aristotelian schools, which has been treated by Madvig in Appendix IV (pp. 815-25, ed. 3).

data natura: in a note on Acad. I, 15 I have given many exx. of *natura* and *a natura* after passive verbs. The difference is that the simple abl. is adverbial like φύσει, while with the other form there is personification. Thus there is comic personification in Fam. 7, 26, 2 a beta et a malva deceptus sum, 'Mr Beet and Mr Mallow.' In the poets (esp. Ovid) as in the laxer prose authors, the preposition is of course often inserted where strict writers would leave it out; so Varro r.r. 1, 59, 2 datur ab arte (followed by *natura datum*); Plin. n. h. 16, 40 a visu discerni; ib. 17, 4 ab ipsa mea censura notandus.

5. voluptas insit necne: this the Stoics denied (3, 17 n.); see also 5, 45 (a passage closely corresponding with this); and cf. Madvig's Appendix.

nihil vero, etc.: the criticism is repeated in § 114.

6. membra: 'debut addere integra; nam bonitas et integritas harum rerum in primis numerabantur, non ipsae. Cfr. v, 18' (Madvig).

ingeni motum: so 4, 35; ingenio moveri, Leg. 2, 46; motu mentis Acad. 2, 48; so sometimes animi motus, though that phrase is generally applied to emotion rather than thought. Cf. my notes on Acad. 1, 35; 2, 34.

8. inscitiae: always in Cicero blameful ignorance, while inscientia is ignorance pure and simple; later the distinction tends to disappear. See Krebs-Schmalz s. v. inscientia.

atque: here atqui might have been expected; see I, 58. Cf. 85 n. (ac tamen). capite: 'fountain-head.'

9. Polemoni, etc.: on the relation of Polemo to Antiochus see on Acad. I, 19: 2, 131. The statement about the 'old Academics and Peripatetics,' which immediately follows is thoroughly characteristic of Antiochus of Ascalon; see note on 4, 14 and the discussion of Polemo's τέλος in my note on Acad. 2, 131. As to the drift of the whole argument, down to the end of § 35, Madvig seems to me to have seriously misunderstood it. Cicero's purpose, he says, is to show that while other philosophers made their summum bonum harmonize with their πρῶτα κατὰ φύσιν, Epicurus failed to do so. But, says Madvig, some of these thinkers (Aristippus, Hieronymus, Carneades) did not distinguish at all between the πρῶτα κατὰ φύσιν and the summum bonum, while others (as the Stoics) excluded from their τέλος the prima naturae commoda altogether, and others again gave them only a subordinate position in their summum bonum.

Aristoteli ea prima visa sunt, quae paulo ante dixi. Ergo nata est sententia veterum Academicorum et Peripateticorum, ut finem bonorum dicerent secundum naturam vivere, id est virtute adhibita frui primis a natura datis. Callipho ad virtutem nihil adiunxit nisi voluptatem, Diodorus vacuitatem doloris.... His 5 omnibus quos dixi, consequentes sunt fines bonorum, Aristippo simplex voluptas, Stoicis consentire naturae, quod esse volunt e virtute, id est honeste, vivere, quod ita interpretantur: vivere

5 doloris: post hoc lacunam primus indicavit Madvig.
sunt B. 7 Stoicis: *stoici* AB.

6 sunt fines: *fines*

Hence Madvig condemns Cicero for carelessness, which his editors have rivalled, 'difficillima silentio transmittentes aut nihil distincte expedites. But the facts which Madvig supposes Cicero to have overlooked were notorious and (as can be abundantly proved) perfectly familiar to him. Neither he nor his authority here can have dreamed of starting with so flagrantly erroneous an assumption as that all the ethical schemes mentioned contained a list of *πρῶτα κατὰ φύσιν* which might be compared with the *τέλος*. Cicero's idea rather is that in all the schools excepting that of Epicurus the development of the ethical scheme proceeds uniformly from the elements with which it starts to the highest stage of moral wisdom. This is the case even in the Stoic school, where the child is regarded as being born with every aptitude, which is brought to perfection by the sage through a long course of *προκοπή*; and even the perfectly virtuous man is engaged in the selection of *τὰ κατὰ φύσιν*: the only difference between him and the beginner being that he constantly succeeds in attaining the *τέλος*. In the school of Aristippus the first attraction and the last is to *ἡδονὴ ἐν κινήσει* and so on. The Stoics themselves did not allow that there was any breach of continuity in their moral fabric; see 3, 22 n. The same holds good of the other schools here mentioned. The face of the disciple is turned in the same direction all through his moral training. But among the Epicureans the child first embraces *ἡδονὴ ἐν κινήσει* and is required later to make jettison of this and put the *ἡδονὴ ἐν στάσει* in its place. Doubtless the criticism of Cicero (or Antiochus) is forced and unfair, but it has not the gross inconsistency which Madvig ascribes to it. It should be noticed that

in § 35 very vague terms are used: *extrema*, 'goal,' *initia*, 'starting-point.' Alcinous' ['rectius Albinus' (Diels in Index)] *ἐπιτομή τῶν Πλάτωνος δογματῶν* shows the Antiochean confusion of Platonism, Peripateticism, Stoicism; see Diels, p. 76. Eudorus, contemporary of Arius Didymus and possibly pupil of Antiochus, is 'Stoicus germanus' while calling himself an Academic, Diels 81.

4. Callipho: see § 19 n. There is an allusion to his doctrine in Cael. 41 alii cum voluptate dignitatem coniungendam putaverunt.

5. *vacuitatem*: *nihil nisi* must be carried on. Perhaps *tantum* (*tāti*) has fallen out after *vacui-tatem*.

his omnibus quos dixi: it is obvious from what follows that words have dropped out before *his*. Aristippus and the Stoics must have been mentioned; probably also Hieronymus and Carneades and Epicurus. But I think Madvig is wrong in supposing that there was any definite mention of *πρῶτα κατὰ φύσιν*. The word *consequentes* does not necessitate the supposition (see above); doubtless Madvig is right in contending that the word cannot mean 'consistent with themselves' or 'coherent'; but the context makes it easy to understand that the consistency indicated is that between *initia* and *extrema*. The form of the exposition shows there is no room for a mention of the *πρῶτα κατὰ φύσιν*: as the statement about Callipho and Diodorus indicates, the whole catalogue here had reference to the *finis* only.

7. *simplex voluptas*: as opposed to the combinations of Callipho and Diodorus.

8. *e virtute*: κατ' ἀρετήν; so 4, 26; 4, 35 ex virtute agere; 3, 29 cum virtute vivere; Sen. clem. 1, 19, 9 qui se ex deorum natura gerit; Tacitus, Germ. 7 duces ex virtute sumunt.

cum intelligentia rerum earum quae natura evenirent, eligentem ea quae essent secundum naturam, reicientemque contraria. Ita 35 tres sunt fines expertes honestatis, unus Aristippi vel Epicuri, alter Hieronymi, Carneadi tertius, tres, in quibus honestas cum aliqua accessione, Polemonis, Calliphontis, Diodori, una simplex, cuius Zeno auctor, posita in decore tota, id est in honestate. Nam Pyrrho Aristo Erillus iam diu abiecti. Reliqui sibi constiterunt, ut extrema cum initiis convenirent, ut Aristippo voluptas, Hieronymo doloris vacuitas, Carneadi frui principiis naturalibus 10 esset extremum. XII. Epicurus autem cum in prima commendatione voluptatem dixisset, si eam, quam Aristippus, idem tenere debuit ultimum bonorum, quod ille; sin eam quam Hieronymus, fecisset idem, ut voluptatem illam [Aristippi] in prima commendatione poneret.

15 Nam quod ait sensibus ipsis iudicari voluptatem bonum esse, 36 dolorem malum, plus tribuit sensibus quam nobis leges permittunt, cum privatarum litium iudices sumus. Nihil enim

Summing up.

Cicero's personal profusion

1 evenirent: *evenerint* B. 2 reicientemque: *reficientemque* A¹B. 4 Carneadi: ita A¹B; *Carneadis* A². 6 in (ante honestate): om. B. 7 Pyrrho: *parirho* A; *pyrrho* B. 11 si: *sed* B. 11 et 13 idem: *id est* A¹. 12 tenere...fecisset idem: om. B. 13 Aristippi A: *aristippo* BE: secl. P. Marsus Madv. 17 cum: om. codd.; hic inseruit Th. Bentley, post *litium* Lambinus. 17 privatarum: *privarium* A¹.

vivere cum intelleg.: for this definition see note on 3, 31.

1. evenirent: Cicero, as Madvig says, suddenly changes his point of view from the Stoics of his own time (*volunt*) to those of old. Similar changes are not uncommon; see 2, 21; 3, 67 and 71; 4 §§ 14, 20, 56, 59.

4. Carneadi: note on § 38.

6. cuius Zeno auctor; for the omission of *erat* cf. 5, 7 Peripatetici veteres quorum princeps Aristoteles, where Madvig objects, but has overlooked 2, 35 and Acad. 2, 129 Megaricorum disciplina cuius princeps Xenophanes, and ib. § 131 quorum princeps Aristippus; also Tusc. 3, 18 frugalitas ut opinor a fruge, qua nihil melius e terra; Leg. 3, 35 leges, quarum prima de mandandis magistratibus. In some of these places editors have erroneously inserted the verb. [Madvig on 5, 7 qu. Liv. 22, 53, 5 iuvenes quosdam, quorum principem L. Metellum, mare ac navis spectare.]

decore: a rendering of the Stoic τὸ καλόν.

7. Pyrrho Aristo Erillus: see § 43; 5, 23.

reliqui...Epicurus autem: this pro-

leptic use of *reliqui* and *ceteri* is common; see my notes on Lael. 7; Cato m. 3.

10. in prima commendatione: 'as the thing which nature first recommends.' For *commendatio*=*οὐκείωσις* see 3, 16, 23; 5, 41. The context gives *commendatione* a concrete sense. For *in* see note on § 26 and cf. Tusc. 3, 14 in vitio ponitur.

11. si eam: for the carrying on of the construction of the verb cf. Balb. 13 utrum inscientem voltis contra foedera fecisse an scientem? si scientem...; Verr. 2, 2, 155; Phil. 12, 16 idcircone...arma cepimus...ut legati ad pacem mitterentur? si accipiendam, cur non rogamur? si postulandam, quid timemus? Div. 2, 51 deum dicam an hominem? si deum... Off. 1, 134.

13. Aristippi: is a gloss. It is the 'pleasure' of Hieronymus that he would have commended.

15. nam quod ait: a common form of transition; fifteen exx. similar to this will be found in Merguet's Lexicon to the philosophical writings, vol. II, p. 627.

sensibus iudicari: so *sensu iudicari* in 1, 31.

17. iudices: here in the wide sense, including *arbitri*; just as the phrase

possumus iudicare nisi quod est nostri iudici. In quo frustra iudices solent, cum sententiam pronuntiant, addere: 'si quid mei iudici est.' Si enim non fuit eorum iudici, nihilo magis hoc non addito illud est iudicatum. Quid iudicant sensus? Dulce amarum, leve asperum, prope longe, stare movere, quadratum rotundum. 5

Sense-judgments

37 Aequam igitur pronuntiabit sententiam ratio adhibita primum divinarum humanarumque rerum scientia, quae potest appellari rite sapientia, deinde adiunctis virtutibus, quas ratio rerum omnium dominas, tu voluptatum satellites et ministras esse

Stoic

2 iudices solent: *solent iudices* B. 2 si quid: *si quod* B. 4 quid iudicant: *quid iudicat* A; *quod iudicant* B. 5 leve: ita A; *lene* B. 5 stare movere: *movere stare* B. 6 aequam: ita ed. Ascensiana; *quam* codd. 6 primum: *primo* B. 7 potest appellari rite: *rite potest appellari* B.

iudicia privata often includes all private trials, even those which were technically distinguishable from *iudicia*, as *arbitria*.

1. in quo frustra, etc.: the object of these *iudices* would seem to have been to escape responsibility for a decision given *ultra vires*. Law-books give one no inkling of what this responsibility amounted to. Parallels to the expression *si quid mei iudici est*, 'if it falls within my jurisdiction,' occur only outside the sphere of law, excepting in Liv. 3, 36, 6 cum priores decemviri appellatione collegae corrigi reddita ab se fura tulissent, et quaedam, quae sui iudici videri possent, ad populum reiecissent; Caes. B.C. 1, 13, 1 dicens sui iudici rem non esse; ib. 1, 35, 3. Sometimes *iudicium sit aliorum* is used, as in Off. 1, 3; both this form and the other are combined in Cic. ad Brut. 1, 4, 2 quod scribis quid ego sentiam mei iudici esse, statuo...senatus aut populi Romani iudicium esse; cf. Sen. Clem. 1, 1, 2 iurisdictio mea est. Cf. too Caes. B.C. 3, 12, 2 neque sibi iudicium sump-tuos, 'would not assume the right to decide'; Nep. Att. 9, 7 ille, sui iudici, potius quid se facere par esset intue-batur quam quid alii laudaturi forent; where *sui iudici* used as an appositional phrase is curious. The phrase *hoc mei consili est*, 'this is for me to determine,' is also found.

3. nihilo magis...iudicatum: 'the decision was not a whit the sounder when the clause was left out.' With *nihi-lo m. est iudicatum* cf. *iudicatum negare* of a decision pronounced, but alleged to be invalid, Flacc. 49.

hoc non addito: Fam. 13, 10, 4

sed tamen nihilo infirmius illud hoc addito.

5. leve asperum: in Tusc. 5, 73 (where Epicureanism is discussed) the words indicate *pleasantness* and *unpleasantness*; of sound in N.D. 2, 146. On all the points here mentioned the judgment of the senses was questioned by the Sceptics; see Acad. 2 § 79 ff.

movere: the use of *movens* as deponent (above, § 31 n.) does not justify the intransitive use of *movere*, to which there is no parallel in Cicero or any writer near his time; even *movere* for *m. castra* and the like in the historical writers and *terra movit* of earthquakes (twice in Livy) do not go as far as this.

6. ratio, etc.: the passage has a Stoic tinge. The phrase *pronuntiabit sententiam* carries on the judicial metaphor: *σοφία* and *ἀρετή* form the *consilium* of the judge; cf. *adhibere consilium* of the judge in Verr. 2, 2, 81.

7. divinarum humanarumque rerum scientia: a definition of philosophy which was widespread in ancient times (see references to Cicero and Seneca, in n. on Acad. 1, 9; add Off. 1, 153); Varro imitated it in the title of his great work 'antiquitates rerum divinarum atque humanarum.' The definition is often treated as specially Stoic; see Bonhöffer, Epictetus, vol. 1, p. 2; Sen. ep. 31, 8 rerum scientia...et ars per quam humana ac divina noscantur; ep. 74, 29 scientia divinatorum humanorumque; dial. 12, 9, 3.

quae...sapientia: this seems to be a protest against the use of *sapientia* to denote *φρόνησις* in 1, 43.

9. satellites: note on § 69 ancillulas.

voluisti; quarum adeo omnium sententia pronuntiabit primum de voluptate, nihil esse ei loci non modo ut sola ponatur in summi boni sede, quod quaerimus, sed ne illo quidem modo ut ad honestatem applicetur. De vacuitate doloris eadem sententia 5 erit. Reicietur etiam Carneades, nec ulla de summo bono ratio 38

3 quod: *quam* codd. 5 erit: *est* codd.; corr. Th. Bentley. 5 etiam: *autem* B. Carneades: *carniades* A¹. 5 summo bono ratio: *summa honoratio* B.

1. *sententia*: this is abl., the subject of *pronuntiabit* being *ratio*; cf. 1, 29 omnium philosophorum sententia; not different from *mea sententia* and *sententiis* in Tusc. 1, 24. But the text is suspicious; the judge is usually said to deliver judgment *de consili sententia*. Perhaps *de* has been corrupted into *adeo* here or has fallen out after that word.

3. *quod quaerimus*: I have, without hesitation, changed the mss. reading, because I cannot conceive Cicero to have used the phrase *quaerere sedem summi boni*. Cf. 5, 41 hoc, quod quaerimus, summum; 2, 4 quaerimus finem bonorum; § 69 voluptatem in solio sedentem; also Lactant. inst. 3, 11 miror nullum omnino philosophum exstisise, qui sedem ac domicilium summi boni reperiret.

4. *eadem sententia*: possibly *est* of the mss. is an insertion; cf. 4, 36 eorum enim omnium multa praetermittentium, dum eligant aliquid quod sequantur, quasi curta sententia (sc. est); Verr. 2, 1, 100 hinc ratio cum; Tim. 9 causa; Acad. 2, 132 eadem dicenda.

5. *Carneades*: his *τέλος* is here and in many other places described as not including virtue. So above § 35; below 3, 30; 5, 22; 4, 49; but in 5, 18 the *prima secundum naturam* are made to include the 'quasi virtutum igniculi et semina.' In another passage, Tusc. 5, 84, there is a somewhat different statement, for which see note on Fin. 4, 15. Cicero repeatedly declares that this view of Carneades was put forward with little seriousness, as a weapon for use in his controversy with the Stoics; so Acad. 2, 131; Fin. 5, 20; Tusc. 5, 84. At any rate this Carneadean opinion found few supporters; cf. Tusc. 5, 87 si qui sunt qui desertum illud Carneadeum curent defendere; and Fin. 4, 49 si qui Carneadeum finem tueri voluerunt. Indeed Clitomachus, the most famous pupil of Carneades, declared that he had never been able to discover what the opinion of his master was concerning the *sumum bonum*; see Acad. 2, 139, where it

is also stated (but not definitely on the authority of Clitomachus) that Carneades sometimes championed the *τέλος* of Callipho with such zeal, that he was believed to accept it. Doubtless, like the rest of the Sceptics, of whatever shade, he was ready on occasion to speak for or against any definite scheme (see Leg. 1, 39). In the general tradition about the ethical views of Carneades, no account was taken of his defence of the combination of pleasure and morality put forward by Callipho. In two curious fragments of the 'Menippean Satires' Varro (an adherent of Antiochus) makes mention of Carneades in relation to ethics. [With the Carneadia divisio cf. a passage of Aug. ep. 118.] They bear in part on the 'Carneadia divisio' which I shall discuss in an appendix; I mention them here for the light they throw on the nature of the *τέλος* of Carneades. The first is from the 'Sesquialixes' (frag. 483 in Bücheler's ed.): unam viam Zenona munisse duce virtute, hanc esse nobilem: alteram Carneadem desubulasse bona corporis secutum. The proposal (Roepert and others) to substitute the name of Epicurus here for that of Carneades is violent. The phrase *bona corporis* forms part of the *τριλογία τῶν ἀγαθῶν* (see note on Acad. 1, 19) and occurs often in Cicero's writings, but only in those portions of them where he was especially influenced by Antiochus (Acad. 1, 21; Fin. 3-5; Tusc. Disp.). The phrase would be entirely unsuitable for describing the scheme of Epicurus (above § 34). On its relation to *πρῶτα κατὰ φ.* see App. A. This passage therefore shows that Varro believed Carneades to have excluded *ἀρετή* from his *τέλος*. The other passage is from the same satire (Bücheler § 484): alteram viam deformasse virtutis se cupis acris aceti. The last four words (*se* is doubtless an error for *ε*) have all the appearance of being a quotation from Lucilius and may well in him have referred to Carneades, whom he doubtless mentioned often (see Lact. ap. Müller 1, 12) but cannot have met in

aut voluptatis non dolendive particeps aut honestatis expers probabitur. Ita relinquet duas de quibus etiam atque etiam consideret. Aut enim statuet nihil esse bonum nisi honestum, nihil malum nisi turpe, cetera aut omnino nihil habere momenti aut tantum ut nec expetenda nec fugienda, sed eligenda modo 5 aut reicienda sint, aut anteponet eam, quam cum honestate ornatissimam, tum etiam ipsis initiis naturae et totius perfectione vitae locupletatam videbit. Quod eo liquidius faciet, si perspexerit rerum inter eas verborumne sit controversia.

39 XIII. Huius ego nunc auctoritatem sequens idem faciam. 10

Quantum enim potero, minuat contentiones omnesque sententias simplices eorum in quibus nulla inest virtutis adiunctio

1 expers probabitur: ita A²; *exprobabitur* A¹; *expers probatur* B. 2 relinquet: *relinquunt* B. 7 ipsis: om. B. 8 locupletatam: *locupletam* B. 11 sent. simplices: ita A; *simplices sent.* B. 12 inest: ita A; *est* B. 12 adiunctio omnino: ita A; *omnino adiunctio* E; *omnis adiunctio* B.

155 as Müller supposed. Clitomachus (Acad. 2, 102) dedicated a book to Lucilius; Varro incorporated in his satires many fragments of the older writers, especially Lucilius; in the 'Sexagessis' is a tag from Ennius. The words in question remind us of 'Italo perfusus aceto' and the like. The other words mean that C. drew an unflattering picture of the 'other road,' the Stoic path leading to virtue, as they conceived it; *deformare* is often thus used by Cicero.

It is thus clear that in the actual statement of his *τέλος* C. found no room for virtue. But it does not therefore follow that virtue had no place in his whole moral scheme. We have seen that virtue was one of the corner-stones of Epicurean Ethics, as an indispensable means for the attainment of the *τέλος*; the same is doubtless true of Hieronymus, and of Carneades. In all these schemes virtue was a means, not an end, in itself; herein lay the chief opposition to the Stoic doctrine.

1. *parti-ceps...ex-pers*: note the contrast and cf. *im-pert-ire*.

2. *relinquet*: sc. *ratio*; duas sc. *rationes*; careless writing.

3. *nihil esse...reicienda sint*: for these Stoic expressions see book 3.

6. *anteponet eam*, etc.: by a similar method of exhaustion Chrysippus used to assign the palm to the Stoic scheme (Acad. 2, 138). The prize system here is the 'Old Academic,' for which see book 5.

7. *perfectione*: note on § 19 vitae perfectae prosperitate.

11. *minuat contentiones*: a legal phrase, in harmony with the legal references in § 37. Cf. Acad. 2, 83 and the references to Seneca Rhetor and Caesar in my note there.

12. *in quibus*: for *in quorum scriptis*, in accordance with the very common identification of an author with his works cf. my note on Acad. 2, 101. *Stoicus* is generally masc. in Cicero but cf. Fam. 9, 22, 5. In Acad. 2, 85 *Stoicum* may be for *Stoicorum*, and in N.D. 1, 15 Balbus, qui tantos progressus habebat in Stoicis, doubtless *Stoicis* is masculine, not neuter (as the lexica say s. v.). The passage, as I understand it, is unlike those which Madvig quotes, where there is careless incoherence between antecedent and relative, as Balb. 32 quaedam foedera extant, ut Cenomanorum...quorum in foederibus; ib. 48 num quis eorum, qui de foederatis civitatibus esset civitate donatus, in iudicium est vocatus? C.I.L. 1, 198, l. 83. De Or. 3, 16 is erit ex eis, qui aut illos non audierit aut iudicare non possit (so mss. but edd. generally *audierint, possint*); I may add Fam. 13, 15, 1 en hic ille est de illis maxime qui iridere atque obiurgare me solitus est. The other exx. quoted are less strange, as De Or. 3, 184 illud assentior Theophrasto, qui putat (for *quod putat*); so ib. 2, 313; Cato m. 85; Fam. 1, 9, 13; prov. cons. 36. A large number of more or less similar irregularities occur in mss. and have been generally questioned, but probably wrongly, as Cael. ap. Fam. 8, 3, 1; id.

omnino a philosophia semovendas *putabo*, primum Aristippi Cyrenaicorumque omnium, quos non est veritum in ea voluptate, quae maxime dulcedine sensum moveret, summum bonum ponere, contemnentis istam vacuitatem doloris. Hi non viderunt, ut ad 40
5 cursum *ecum*, ad arandum bovem, ad indagandum canem, sic hominem ad duas res, ut ait Aristoteles, ad intellegendum et

1 semovendas: *semovenda* B.
6 ad (ante *duas*): om. E.

1 primum...ponere: affert Gellius, 15, 13.

8, 4, 2; Qu. Fr. 1, 1, 43; Verr. 5, 111; Rep. 6, 15; C. F. W. Müller refers to Petron. 83 ex hac nota litteratorum, quos odisse divites solent; Enn. ap. Gell. 6, 17, 10 ea libertas est, qui purum pectus gestitat. In the latter ex. and some others we have not so much an irregularity in the correspondence of antecedent and relative, as an irregular epexegetic relative clause. [In Q. Fr. 1, 1, 43 non est tibi hi solis utendum existimationibus ac iudiciis qui nunc sunt hominum, sed eis etiam qui futuri sunt, Tyrrell keeps the mss. reading, but the text is altered by Tyrrell and Purser (after Becher) in the very similar passage of Cael. Fam. 8, 4, 2 in evitandis consiliis eis qui se intenderant adversarios.] 1, 55, referred to here by Madvig, is hardly an ex. but ex eo genere qui and the like (see note on 3, 70) are parallel.

1. *putabo*: the tense assimilated to *minuam*.

2. *Cyrenaicorumque omnium*: Cicero doubtless has in mind here the followers of Theodorus, Hegesias and Anniceris, all of Cyrene, for whom see Zeller, II, 1, ed. 3, pp. 294, 326 sq.

non est veritum: this impersonal use is found only in two or three fragments of the older drama, and one of Varro sat. Men.; and there the constr. is *veretur* or *reveretur me alicuius*, not with the infin. Gellius, 15, 13, 9 and Macrobius Gram. Lat. (Keil) 5, 648, 6, quote this passage as a rarity. Cicero has *puditum est* (Flacc. 52) and *pertaesum est* (Qu. Fr. 1, 2, 4), expressions found in a good many other writers, as are *miseritum est* and *pigitum est*. See Neue-Wagener, vol. III, pp. 655 sq.

4. *ut ad cursum*, etc.: the argument closely corresponds with 4, 37 sq.; cf. esp. in *omni* animante est summum aliquid atque optimum, ut in equis, in canibus. In the language there is striking agreement with a passage of

the N.D. 2, 37 scite enim Chrysippus: ut clipei causa involucrum, vaginam autem gladii, sic praeter mundum cetera omnia aliorum causa esse generata, ut eas fruges atque fructus quos terra gignit, animantium causa, animantes autem hominum, ut equum vehendi causa, arandi bovem, venandi et custodiendi canem: Ipse autem homo ortus est ad mundum contemplandum et imitandum, nullo modo perfectus, sed est quaedam particula perfecti. Bywater in Journal of Philology, VII, 85, supposes that both these passages are ultimately derived from Aristotle's lost dialogue *περὶ φιλοσοφίας*: V. Rose assigns the passage here to another dialogue, the *προτρεπτικός*. The doctrine in Fin. accords well with all that Aristotle says of the *ἠθικαί* and *διανοητικαί ἀρεταί*, but the passage in N.D. has acquired a thoroughly Stoic cast; see Mayor on the passage and my note on 3, 21. Madvig refers to [Plut.] Plac. Phil. p. 874 f (Diels p. 274) ἀναγκαῖον τὸν τέλειον ἄνδρα καὶ θεωρητικὸν εἶναι τῶν ὄντων καὶ πρακτικὸν τῶν δεόντων (attributed to Aristotle and Theophrastus). Sen. ep. 124, esp. §§ 11, 12.

6. *ad intellegendum et agendum*: 'numquam apud Ciceronem (nisi forte hic 1, 36 ubi tamen ablativus per se poni poterat) gerundium substantivo a praepositione pendenti praepositione non repetita apponitur.' So Madvig who quotes for the omission in such circumstances Liv. 21, 4, 3; 22, 8, 5; Hor. ep. 2, 1, 19. The reference to Hor. seems to be an error; that passage bears no resemblance to the others. C. F. W. Müller hesitates, but the exx. to which he refers in a note on Acad. 1, 20 are simpler; and the question of the omission of the preposition between *intellegendum* and *agendum* is different from that of the attachment of the gerund epexegetically without it. Madvig's exx. from Livy touch only the latter point.

agendum, esse natum quasi mortalem deum, contraque ut tardam aliquam et languidam pecudem, ad pastum et ad procreandi voluptatem hoc divinum animal ortum esse voluerunt, quo nihil
 41 mihi videtur absurdus. Atque haec contra Aristippum, qui eam voluptatem non modo summam, sed solam etiam ducit, quam 5 omnes unam appellamus voluptatem. Aliter autem vobis placet. Sed ille, ut dixi, vitiose. Nec enim figura corporis nec ratio excellens ingeni humani significat ad unam hanc rem natum hominem ut frueretur voluptatibus. Nec vero audiendus Hieronymus, cui summum bonum est idem, quod vos interdum vel potius 10 nimium saepe dicitis, nihil dolere. Non enim, si malum est dolor,

1 agendum: ante hoc verbum *ad* inseruit Ernēsti; om. ABE.

3 quo nihil:

quod nihil B.

4 Aristippum: *astippum* A.

5 ducit: *dicit* B.

7 ille: om. B.

10 potius: om. B.

11 nimium saepe: *sepe minimum* B.

1. quasi mortalem deum: thephrases θεὸς θνητὸς for men, and ἀθάνατος ἀνθρώποις for gods were attributed to Heraclitus; see Bywater on frag. 67; cf. too note on § 88 dempta aeternitate, and for the context Acad. 2, 139 virtus ...pecudum illos motus esse dicit, hominem iungit deo. As to *pecudem* see note on § 18 above.

3. quo...absurdus: 4, 40 quo nihil potest esse perversius.

4. atque haec...Aristippum: in brief summative clauses like this the verb is often omitted, as below, 2, 113 ergo haec in animis; Acad. 1, 20 ergo haec animorum; in my note there I have quoted illustrations to which add Off. 1, 46 atque haec in moribus; Fam. 9, 18, 2 ergo hoc primum; Aug. ep. 118 § 17 et hoc in moralibus.

contra Aristippum: Epicurus is postponed to c. 14.

6. omnes appellamus: § 20 n.

7. sed ille vitiose: in short clauses like this, containing an emphatic adverb, the verb is very frequently omitted, both by Cicero and other writers; so above, 1, 63. I have quoted many illustrations in my note on Acad. 2, 94, to which I now add Ter. Ad. 156, 266, 426, 566, 653, 703, 752, 943 (there are many exx. in his other plays); Plaut. Ps. 249; Att. 5, 11, 2; 13, 22, 4; 13, 26, 1; Cael. ap. Fam. 8, 6, 1; Cat. agr. 110 si demptus erit odor deterior, id optime. In Fam. 9, 15, 3 quod autem altera epistula purgas te non dissuasorem mihi emptionis Neapolitanae fuisse sed auctorem modera-

tionis, urbane, neque ego aliter accepi, the mss. have *urbanae*, and the reading was cleverly corrected by Madvig, Fin. p. 806, after vain attempts by others. (Cf. Petron. 48 where *urbane* occurs exactly in the same way.) Lucan 3, 111 melius (sc. Caesar fecit), quod plura iubere erubuit quam Roma pati, has been misunderstood by Francken and others. There is often omission when emphasis is thrown on an adjective. Cf. Lael. 14 veriora.

figura corporis, etc.: the line of argument is Stoic; see 3, 23 n.

9. nec vero audiendus: the omission also of *est* with the gerundive nearly always occurs in Cicero in short emphatic clauses at the beginning of a sentence; so Off. 1, 88 nec vero audiendi qui; Att. 12, 11, 1 sed omnia humana tolerabilia ducenda; 15, 20, 3 sed humana ferenda. N.D. 1, 35 nec audiendus eius auditor Strato; Lael. 73 tantum autem cuique tribuendum; ib. 78 cavendum vero; Off. 3, 92; Cato m. 35, 36; Qu. 10, 3, 22 non tamen protinus audiendi qui credunt. The ellipse of the verb is common in both of two brief correlated clauses of various kinds, and one of these may contain a gerundive; as Fam. 12, 2, 2 sed haec tolerabilia, illud non ferendum; Off. 3, 113 ut laudandus Regulus, sic illi ...vituperandi; cf. Acad. 2, 132; Off. 1, 150; also on § 35, above. In Mil. 65 Clark leaves out a past tense of the verb 'to be,' the mss. giving *Quin etiam audiendus fuerit* where *fuit* is needed. The omission of the past tense is improbable and the slight change to *fuit* far better.

carere eo malo satis est ad bene vivendum. Hoc dixerit potius Ennius:

Nimum boni est, cui nihil est...mali.

Nos beatam vitam non depulsione mali, sed adeptione boni
 5 iudicemus, nec eam cessando, sive gaudentem, ut Aristippus, *Positiv*
 sive non dolentem, ut hic, sed agendo aliquid considerandove
 quaeramus. Quae possunt eadem contra Carneadeum illud 42
 summum bonum dici, quod is non tam ut probaret protulit,
 quam ut Stoicis, quibuscum bellum gerebat, opponeret. Id
 10 autem eius modi est, ut additum ad virtutem auctoritatem
 videatur habiturum et expleturum cumulate vitam beatam, de *Seneca*
 quo omnis haec quaestio est. Nam qui ad virtutem adiungunt
 vel voluptatem, quam unam virtus minimi facit, vel vacuitatem
 doloris, quae etiam si malo caret, tamen non est summum bonum,
 15 accessione utuntur non ita probabili, nec tamen cur id tam parce

5 iudicemus: dicemus B.

9 opponeret: ita A; apponerent B.

2. Ennius: who represents Eurip. *Hec.* 627 κείνος δλβιώτατος | ὅτω κατ' ἡμᾶρ τυγχάνει μηδὲν κακόν. Cicero's quotation is probably not exact; see Ribbeck, *Enn.* v. 354 n. Cf. Publius Syrus 467 (ed. Bickford-Smith) nimum boni est in morte cui nil sit mali, which probably means that if a man arrives at death without disaster he is all too happy.

5. gaudentem: indefinite subject like *eligentem* in § 34.

6. agendo aliquid: Cicero rarely uses *agere* without an object; when it is omitted there is generally a contrast, as above § 40 ad intellegendum et agendum; Acad. 2, 22 faciendum...agendo. See my note on Acad. 1, 23.

considerandove: θεωρίᾳ. In a noteworthy passage of Off. 1, 153 Cicero uses *actio* as covering θεωρία as well as practical life.

8. non tam ut probaret: 'not so much from a desire to accept the view himself.' In Acad. 2, 131 (speaking of the same matter) Cicero writes: 'non quo probaret, sed ut opponeret Stoicis,' meaning, 'not that he held the view himself' (*non quo* as above, 1, 29, below, 4, 63 and often). Madvig rightly condemns the view of Davies that *non ut* and *non quo* in these two passages are identical in sense. Nor is *probat* = *p. aliis*, as Goerenz supposed; for Carneades must have desired the approval of his audience at least, and always secured

it, according to De Or. 2, 161 Carneades nullam umquam rem defendit quam non probat ('did not render acceptable'). Madvig quotes Att. 14, 17, 4 earum exempla tibi misi non ut deliberarem, reddendaene essent...sed quod ..., saying, 'consilium simul causam rei continet'; but *ut* there seems to be purely of purpose, 'from no desire to debate the matter'; cf. Hor. A.P. 257. Davies cited Fat. 35 for *non ut* = *non quo* and Madvig explains in such a way as to admit an approximation to that sense, but the passage is probably corrupt; see C. F. W. Müller *ad loc.*

11. expleturum cumulate: the Greek text here doubtless had the verb συμπληροῦν, similarly translated elsewhere.

de quo: the words *de quo omnis haec quaestio est* occur in § 5; and in Acad. 2, 115, etc.

14. non est summum bonum: the word *summum* must be due to the copyists here. The argument requires that *vacuitas doloris* should be treated as mere nothingness, and as neither evil nor good. Moreover, the fact that it is not *summum bonum* is no reason why it should not be added to *virtus*.

15. non ita: 'not very.'

tamen: 'even if that were not so'; note on 1 § 14 and on 2 § 31.

id: the process of adding other *bona* to virtue.

tamque restricte faciant intellego. Quasi enim emendum eis sit, quod addant ad virtutem, primum vilissimas res addunt, dein singulas potius, quam omnia, quae prima natura approbavisset, 43 ea cum honestate coniungerent. Quae quod Aristoni et Pyrrhoni omnino visa sunt pro nihilo, ut inter optime valere et gravissime 5

1 intellego...eis: *intellegunt cum enim dandum eis* B. 2 dein: ita A; *deinde* B.
4 honestate: ita AB; *voluptate* alii codd.; verba *ea...coniungerent* om. Marsus et Lambinus. 4 quod: *cum* codd.; corr. Madvig. 4 Pyrrhoni: *pyrroni* A; *pyrroni* B. 5 visa sunt: *sunt visa* B.

2. *addant ad*: this is by far the commonest construction of *addo* in Cicero. Others are dat., but nearly confined to persons as below, 4, 61; Mur. 47; *summae*, Verr. 3, 116; adverbs like *eo*, *huc*; and rarely *in*; also rarely *ut*; acc. and inf. (fairly common). *Addo quod* (conj.) is not Ciceronian, for N.D. 3, 68 is a quotation.

dein: this has good mss. authority below, 4, 50, and in seventeen or eighteen other passages given in Merguet's lexica as against not far from 700 exx. of *deinde*. Seeing how easily *deinde* by contraction passes into *dein*, and looking to the probabilities, *dein* can hardly be called certain. (A similar contraction of *ante* to *añ* gave rise to the reading *antestaretur* in Mil. 68.) Merguet gives no instance of *proin* excepting in a quotation; the lexicon to the phil. writings gives eight instances of *exin*, five in poetical or otherwise archaic passages; two others (both in Div. 1, 55) come in the course of a story transcribed from Caelius Antipater; the remaining one is in N.D. 2, 101. The mss. of Caesar give one ex. of *dein* against nine of *deinde*. Later prose writers, who were averse to no form which was archaic or poetical, doubtless used *dein*.

4. *coniungerent*: the tense is accommodated to that of *approbavisset*, at which point the change is made from historic present to actual past. The change is still more awkward below, 4, 39 *cum autem ad summum bonum volunt pervenire, transiliunt omnia et duo nobis opera pro uno relinquunt, ut alia sumamus, alia expetamus, potius quam uno fine utrumque concluderent*. In these two passages and in 2, 66 (where the subjects of the verbs are different) the passage from the indicative before *potius quam* to the subjunctive after it indicates a decided preference on the part of the subject to the principal verb for one kind of action

rather than another. And this meaning very often exists even when *potius quam* stands between two words or phrases of exactly similar construction, for example, above 1, 4 *Synephebos ego potius Caecili aut Andriam Terenti quam utramque Menandri legam?* Also below 5, 91.

quae quod, etc.: the line of argument here is very similar to that in 4, 40. As to the reading I have followed Madvig but not without hesitation. He interprets 'nam quod ad Pyrrhonis et Aristonis sententiam attinet, quibus haec, etc.' Madvig has here inserted *nam*; had Cicero written this there could have been no doubt as to the nature of *quod*. But as it stands, it may be more naturally taken as giving the cause for *recte*. And if the notion of cause is once admitted, it becomes a question whether *quoniam* (Otto) is not at least as good a correction. As to the opinions of Aristo and Erillus and Pyrrho see note on 4, 43.

5. *inter optime valere*: on prepositions with the inf. see Wölfflin in Archiv 3, 71. He says that *inter* is found so used only here and Sen. ben. 5, 10, 2 *nihil interest inter dare et accipere*, and then in Christian writers; but he overlooks a passage of Nigidius Figulus, quoted by Gell. 11, 11, 1: *inter mendacium dicere et mentiri distat*. Horace, Ovid and later poets use *praeter* with following infin., but there is a doubt whether in such instances *praeter* is not adverbial. Wölfflin indeed calls this idea a 'grammatisches Kunststück'; but seeing how often *praeter* is used as an adverb in close connexion with nouns, adjectives and participles, and occasionally even with finite verbs, the usage cannot have been impossible with the infinitive. [Madvig says 'aliud futurum erat inter aegrotandum'; but *inter* with gerund is poetical and post-classical; for exx. from Livy see Stacey in Archiv 10, 75.]

aegrotare nihil prorsus dicerent interesse, recte iam pridem contra eos desitum est disputari. Dum enim in una virtute sic omnia esse voluerunt ut eam rerum selectione exspoliarent nec ei quicquam, aut unde oriretur, darent, aut ubi niteretur, virtutem ipsam quam amplexabantur sustulerunt. En illus autem ad scientiam omnia revocans unum quoddam bonum vidit, sed nec optimum, nec quo vita gubernari possit. Itaque hic ipse iam pridem est reiectus; post enim Chrysippum non sane est disputatum.

10 XIV. Restatis igitur vos; nam cum Academicis incerta luctatio est, qui nihil affirmant et quasi desperata cognitione certi id sequi volunt, quodcumque veri simile videatur. Cum Epicuro 44 autem hoc plus est negoti quod e duplici genere voluptatis coniunctus est, quodque et ipse et amici eius et multi postea 15 defensores eius sententiae fuerunt, et nescio quo modo is qui auctoritatem minimam habet maximam vim, populus cum illis

fine

1 contra eos: post *desitum* habet B. 3 selectione: *electione* B. 3 exspoliarent: *exspoliaverunt* A; *spoliaverunt* B. 4 oriretur, darent: *ore retunderet* B. 8 reiectus: parvo spatio relicto om. B. 8 Chrysippum: *crisippum* AB, ut infra. 10 incerta: *uncta* A; *iuncta* B. 10 luctatio: *locutio* B. 15 is: *his* A. 16 habet: ita A'B; *habent* A². 16 populus cum illis: *cum illis populus* B.

2. *desitum est disputari*: Cicero never used *coepi*; *desii* with passive inf. The one passage in which the mss. give anything of the kind, Tusc. 1, 29 sed qui nondum ea quae multis post annis tractari coepissent physica didicissent, has been corrected, because *coepissent* is syntactically difficult, and the neighbourhood of *didicissent* accounts for the corruption. See Draeger § 92, 1 A; and Riemann, Études sur Tite-Live, p. 161 sq.

dum...voluerunt: *dum* here has a slightly causal or adverbative sense; see exx. in Draeger § 507 c. *Dum* with perf. is fairly common in Cicero and older writers, but not later; Caesar avoids it and Livy has it only once.

3. *rerum selectione*: this has a Stoic tinge.

4. *ubi niteretur*: so N.D. 2, 125; above 1, 41 nec habet ubi consistat.

8. *post enim*: Lamb. wished to read *p. Chr. enim*, and this is the usual collocation; but Madvig shows that Cicero, like other writers, does sometimes place *enim*, *autem*, *vero* between preposition and case; below 3, 36.

11. *certi*: cf. Acad. 2, 103 veri et certi nota.

id...quodcumque: § 12 omnes quicumque.

14. *coniunctus ex*: Inv. 2, 158 iuncta ex duplici genere (altered by Friedrich); ib. 157 ex horum partibus iunctum; Tusc. 1, 43 iunctis ex anima tenui et ex ardore solis ignibus; Att. 4, 15, 1 ut est ex me et ex te iunctus Dionysius M. Pomponius (of a freedman who took his names partly from Cicero, partly from Atticus); *iunctus ex* is also found in Acad. 1, 40, and possibly Tim. 27. 'Sed durius Cicero ad ipsum Epicurum transulit quod de summo eius bono proprie diceretur' (Madv.). But all through here the philosophers are identified with their views about the *τέλος*; so § 38 reicietur Carneades, etc.

16. *populus cum illis facit*: this hardly means that the Epicurean philosophy had penetrated among the people (see note on 1, 25) nor even that any large proportion of professed philosophers were Epicureans; in the time of Lucian at any rate the great majority of these were Stoics (Hermot. c. 16). The sense merely is that the multitude are votaries of pleasure. Sen. ep. 29, 10 quotes as from Epic. (Us. § 187): 'numquam volui populo placere; nam quae ego scio, non

facit. Quos nisi redarguimus, omnis virtus, omne decus, omnis vera laus deserenda est. Ita ceterorum sententiis semotis relinquitur non mihi cum Torquato, sed virtuti cum voluptate certatio. Quam quidem certationem homo et acutus et diligens, **Chrysippus**, non contemnit totumque discrimen summi boni in earum comparatione positum putat. Ego autem existimo, si honestum esse aliquid ostendero, quod sit ipsum sua vi propter seque expetendum, iacere vestra omnia. Itaque eo, quale sit, breviter, ut tempus postulat, constituto accedam ad omnia tua, Torquate, nisi memoria forte defecerit.

τὸ καλόν

10

3 non mihi: *enim mihi* B.

4 homo...putat: affert Nonius, p. 282.

4 et

diligens: *sed diligens* A; om. B.

6 earum: *ea rerum* vel *eam rem rerum* codd.

Nonii.

6 existimo: om. B.

7 esse aliquid: *aliquid esse* B.

7 sua vi: ita

A; *in sua* B.

9 tua: ita AB;

10 forte: om. B.

probat populus, quae probat populus, ego nescio.' Letters of Epic. and Metrod. showed that they had little repute in their lifetime; cf. Sen. ep. 79, 15, 16.

1. *virtus...decus...laus*: Stoic reminiscences again: *decus* is τὸ καλόν and the Stoic virtue is the only thing which is truly ἐπαινετόν, as is set forth in book 3. In § 47 *laudes*=*virtutes*; and cf. Off. 3, 101 nusquam possumus nisi in laude, decore, honestate utilia reperire; Tusc. 2, 16 officium...laus...decus.

4. *acutus et d.*: 'homo sine dubio versutus et callidus,' N.D. 3, 25; 'acerrimo vir ingenio,' Div. 1, 6; 'quem acutissimum ferunt,' De Or. 1, 50; 'homo acutissimus,' Varro L.L. 9, 1—all of Chrysippus.

5. *non contemnit*: this implies that other Stoics did make light of the debate. Cf. Acad. 2, 140 unum igitur par quod depugnet relicum est, voluptas cum honestate. De quo Chrysippo fuit, quantum ego sentio, non magna contentio.

6. *comparatione*: Madvig points out that the edd. were wrong in supposing that the word contained a reference to the matching of gladiators with each other, for the *noun* has no such use.

si...ostendero...iacere: see C. F. W. Müller on S. Rosc. 123.

7. *propter seque*: *que* can attach itself in classic Latin to the disyllabic prepositions (excepting *apud*); but when a pronoun follows (as here) *que* sometimes is tacked on to it. The union of *que* with the prepositions ending in *b* is avoided, also with *ad*, and Cicero rejects *aque*. With other monosyllabic prepositions *que* may go, but in Cicero (apart from one or two official formulae) *exque*,

inque only appear before demonstratives (Landgraf's ed. of S. Rosc. p. 411).

8. *eo quale sit...constituito*=*cum constituero quale id sit*. Cf. Lael. 56 constituendi sunt qui sint in amicitia fines diligendi; with my note; also note on 3, 23 and on 5, 58 below.

9. *ut tempus...defecerit*: Cicero keeps up the illusion of the dialogue; cf. § 51.

accedam ad omnia tua: cf. ἀπαντᾶν πρὸς, often used of argument. The reading of E and some other mss. is pronounced by Madvig to be impossible. It is true that *tua* is needed; but the saying that *via* would not make sense is somewhat hard. *Via* is sometimes used κατ' ἐξοχήν for 'the right path,' just as *locus* often is 'the right spot'; so in *decedere de via*, and the like phrases; and in Att. 2, 19, 2 utor via, 'I keep to the high road' (wrongly suspected by many edd.). It is true that in N.D. 2, 57 ignem...ad gignendum progredientem via, Cicero is (as Madvig says) translating closely a Greek text in which ὁδὸν occurred. But he has the same phrase, ib. 2, 81, where he does not appear to be translating literally, and there is no inherent reason why *via* should not have the same application as ὁδὸν. Cf. Quint. 2, 17, 41 viam id est ordinem. As to Ter. Andr. 442 etenim ipse secum eam rem recta reputavit via, Madv. says, 'incerta est scriptura etsi editor nunc (1874): *rem reputavit via*,' but Fleckeisen (ed. 1898) keeps *recta* of the mss. Cf. too Cic., Rep. 1, 33 deinde alia quaeremus, quibus cognitis spero nos ad haec ipsa via perventuros; Brut. 46 neminem solitum via nec arte dicere; Virg. G. 2, 22 sunt alii quos ipse via sibi repperit

Honestum igitur id intellegimus, quod tale est ut detracta 45
 omni utilitate sine ullis praemiis fructibusve per se ipsum possit
 iure laudari. Quod quale sit non tam definitione qua sum usus
 intellegi potest, quamquam aliquantum potest, quam communi
 5 omnium iudicio et optimi cuiusque studiis atque factis, qui
 permulta ob eam unam causam faciunt, quia decet, quia rectum,
 quia honestum est, etsi nullum consecuturum emolumentum
 vident. Homines enim, etsi aliis multis, tamen hoc uno plurimum
 a bestiis differunt quod rationem habent a natura datam men-
 temque acrem et vigentem celerrimeque multa simul agitantem
 10 et, ut ita dicam, sagacem, quae et causas rerum et consecutiones
 videat et similitudines transferat et disiuncta coniungat et cum
 praesentibus futura copulet omnemque complectatur vitae con-
 sequentis statum. Eademque ratio fecit hominem hominum ap-
 15 petentem cumque eis natura et sermone et usu congruentem, ut
 profectus a caritate domesticorum ac suorum serpat longius et
 se implicet primum civium, deinde omnium mortalium societate
 atque, ut ad Archytam scripsit Plato, non sibi se soli natum

1 est ut: om. B. 2 fructibusve per se: *fructibus vespere* B. 5 atque: *et* B.
 6 unam causam: *causam unam* B. 9 habent: *habent* AB. 10 acrem et: *et*
 om. B. 10 multa simul: *simul multa* B. 13 consequentis: *presentis* B.
 14 fecit hominem: *hominem fecit* B. 14 hominum: post hoc *amicicias* inserendum
 esse indicat A². 16 a: om. B. 17 omnium mortalium: *mort. omn.* B.
 18 soli: *solo* B.

usus. Madvig's idea that *via* is impossible for *ratione et via* appears untenable.

1. *honestum*, etc.: on the definition of *honestum* see above, § 5 n. The whole passage, §§ 45-7, bears a striking resemblance to Off. 1, §§ 11-14, which deserves perusal. In both passages a description seems to be given of the origin of the four cardinal virtues in *reason*; but the details in both are very obscure.

2. *possit iure laudari*: Stoic phraseology.

8. *aliis multis*: this collocation is much commoner than the other, *multis aliis*; so ordinarily *alia omnia* not *omnia alia*.

10. *celerrime...agitantem*: rapidity of movement is constantly in ancient writings put forward as the leading characteristic of mind.

11. *sagacem*: the word first meant 'keen-scented'; Enn. 235 (Baehr.) nare sagaci; N.D. 2, 158 canum sagacitas narium; cf. De Or. 2, 186 ut odoror quam sagacissime possim; Att. 6, 4, 3 tu sagacius odorabere; hence the apo-

logetic phrase here, *ut ita dicam*. The conjecture of Markland (on Stat. s. 3, 3, 98), *satagacem*, is curious.

12. *similitudines transferat*: cf. note on 3, 33.

14. *hominem hominum*: this kind of collocation is very common; below 3 §§ 63, 68; N.D. 1, 77 homini homine pulchrius nihil videbatur; ib. 3, 11; Rep. 3, 23; Off. 2 §§ 12, 17, 21; 3 §§ 21, 27; Mil. 68; Ter. Eun. 232; cf. below 3, 63 hominum inter homines. A vast number of parallels will be found in an article by Landgraf on 'Substantivische Parataxen' in Archiv 5, 161 sq.

15. *natura*: adverbial = *φύσει*; but Cicero mixes up *natura* and *ratio* in the passage; cf. *rationem a natura datam* and *eadem ratio* just above with *eadem natura* just below, followed by *eadem ratio* again a little farther on.

16. *profectus a caritate*, etc.: the context closely resembles 5, 65; cf. esp. 'caritas generis humani quae...serpit sensim foras, cognitionibus primum...deinde totius complexu gentis humanae.'

18. Plato: Ep. 9, p. 358 a *ἐκαστος ἡμῶν οὐχ αὐτῷ μόνον γέγονεν, ἀλλὰ τῆς*

Kant's
 12 st. *Imperf.*

to day 4

meminerit, sed patriae, sed suis, ut perexigua pars ipsi relin-
 46 quatur. Et quoniam eadem natura cupiditatem ingenuit homini
 veri videndi, quod facillime apparet cum vacui curis etiam quid
 in caelo fiat scire avemus, his initiis inducti omnia vera diligimus,
 id est fidelia, simplicia, constantia, tum vana, falsa, fallentia 5
 odimus, ut fraudem, periurium, malitiam, iniuriam. Eadem ratio
 habet in se quiddam amplum atque magnificum, ad imperandum
 magis quam ad parendum accommodatum, omnia humana non
 tolerabilia solum, sed etiam levia ducens, altum quiddam et
 47 excelsum, nihil timens, nemini cedens, semper invictum. Atque 10
 his tribus generibus honestorum notatis quartum sequitur et in
 eadem pulcritudine et aptum ex illis tribus, in quo inest ordo et

2 eadem: *eam* B. 3 etiam quid: *et quid iam* B. 4 avemus: *habemus* AB.
 6 malitiam: *om.* B. 6 eadem: *post hoc enim* inserit B. 9 quiddam:
quoddam B. 10 nemini: *nulli* B.

γενέσεως ἡμῶν τὸ μὲν τι ἡ πατὴρ μερί-
 ζεται, τὸ δὲ τι οἱ γενήσαντες, τὸ δὲ
 οἱ λοιποὶ φίλοι. The same passage is
 copied more closely in Off. 1, 12 and less
 closely ib. § 22; there is an echo of it in
 Mur. 83 M. Cato qui mihi non tibi sed
 patriae natus esse videtur, which passage
 is again echoed by Lucan, 2, 383 nec sibi
 sed toti genitum se credere mundo. The
 sentiment is of course a commonplace
 in Latin literature, but is especially
 characteristic of Stoicism. See Sen. ep.
 95, 51 ff. Cicero quotes another of the
 letters of Plato (so called) below, § 92.

1. *sed...sed*: the anaphora is com-
 mon; Draeger, § 333, 1 a.

ut perexigua pars, etc.: so Rep.
 1, 8 tantumque nobis in nostrum priva-
 tum usum, quantum ipsi superesse
 posset, remitteret (sc. res publica).

2. cupiditatem...veri videndi: the
 same expression in Tusc. 1, 44; Off. 1, 13.
 The context is in both places like the
 present passage. The passage in Tusc.
 esp. illustrates the words *quid in caelo*
fiat here.

4. *avemus*: this word was probably
 somewhat archaic and colloquial in
 Cicero's day. He has the verb only twice
 in his speeches; ten times in the philoso-
 phical writings, and a few times in the
 letters. Varro employed it; Livy has
 it only twice; Caes., Sall., Nep., Mart.,
 Juven., Quint., Suet., Curt. avoided it; in
 Seneca's writings it rests on an emen-
 dation of Madvig's in one place; Tacitus
 has it thrice; in the text of Petron. 88
 it rests on an emendation (not accepted
 by Büch.) for *audemus*.

7. ad imperandum, etc.: this re-
 sembles Off. 1, 13 closely.

8. omnia...ducens, etc.: the picture is
 that of the ideal sage, for whom all
 these characteristics were claimed in
 every system, but especially in the
 Stoic. Similar language will be found
 in 5, 73 and in Acad. 2, 127; in my note
 there I have given illustrations from
 Cicero and others.

9. altum...et excelsum: cf. Parad. 41
 animo excelso et alto et virtutibus
 exaggerato. But it must be confessed
 that the words look suspiciously like a
 gloss here. So perhaps in Mur. 60 finxit
 te ipsa natura ad honestatem gravita-
 tem temperantiam magnitudinem animi
 iustitiam, ad omnes denique virtutes
 magnum hominem et excelsum, the
 words *magnum hominem et excelsum*
 come from a marginal exclamation with
 which a copyist relieved his feelings. For
finxit ad cf. Hor. A.P. 366 voce paterna
 fingeris ad rectum.

10. nihil timens, etc.: Cicero was here
 rendering words like ἀτάρβητος in the
 Greek text.

invictum: see 3, 76.

11. in eadem pulcritudine: Madvig
 qu. Tusc. 3, 42 quae secuntur, in eadem
 sententia sunt; ib. 1, 94 in eadem brevi-
 tate reperiemur; N.D. 1, 31 in eisdem
 sunt erratis fere; in eo genere sunt is, as
 he says, an ordinary phrase, below 3, 69;
 Verr. 2, 3, 92; Div. 1, 89; Top. 76;
 harder, however, is 4, 36 (below) animus
 est in quodam genere corporis (where *in*
 denotes equivalence, as not seldom);
 and Rep. 1, 44 quae genera sunt in eis

*Quatin clive
 Indignatus
 (cf. Rom. 1.)*

moderatio. Cuius similitudine perspecta in formarum specie ac dignitate transitum est ad honestatem dictorum atque factorum. Nam ex his tribus laudibus, quas ante dixi, et temeritatem reformidat et non audet cuiquam aut dicto protervo aut facto 5 nocere vereturque quicquam aut facere aut eloqui, quod parum virile videatur.

XV. Habes undique expletam et perfectam, Torquate, formam 48 § honestatis, quae tota quattuor his virtutibus, quae a te quoque commemoratae sunt, continetur. Hanc se tuus Epicurus omnino 10 ignorare dicit quam aut qualem esse velint, qui honestate summum bonum metiantur. Si ad honestatem enim omnia referantur, neque in ea voluptatem dicant inesse, ait eos voce inani sonare (his enim ipsis verbis utitur) neque intellegere nec videre, sub

1 specie: *spē* E. 1 ac dignitate: *adignitate* AB. 4 audet: *audi* B. 5 nocere: *nuere* A¹. 5 aut (post *facere*) om. B. 8 quattuor his: ita A; *his quattuor* B. 9 se: *si* B. 10 qui: ita A; *hy qui* B. 11 si ad honestatem enim: ita A; *si enim ad hon.* B. 12 dicant: *dicunt* B. 13 intellegere: *intelligitur* E.

singula vitiis quae ante dixi; Tusc. 4, 42 aegritudines susceptae continuo in magna pestis parte versantur. Add Fin. 4, 65 illud in eadem causa est; Att. 1, 18, 1 illae ambitiosae nostrae fuco-saeque amicitiae sunt in quodam splendore forensi; De Or. 2, 243 ut... in aliquo insigni ad irridendum vitio reperiantur; Ad Herenn. 3, 12 quoniam in eodem virtutis studio sint; Varro r.r. 1, 6, 1 quo in genere terrae (sit fundus); Plin. n. h. 16 § 2 diximus et in oriente quidem iuxta oceanum compluris in eadem necessitate gentis. *Esse in spe, in timore*, etc. often of things. Reminiscence in Aug. ep. 118, § 15, cf. below, 2 § 115.

1. *formarum*: in § 115 the same parallel is drawn between beauty of external shapes and beauty of moral action. Cf. also Off. 1, 14, which closely corresponds.

4. *reformidat*: the subject is probably *σωφροσύνη*, involved in *quartum* above: 'annotanda singularis orationis brevitatis in hac forma: *ex his tribus laudibus et temeritatem reformidat*, etc. Videtur Cicero significare voluisse, quid ex singulis illis haec quarta haberet et traheret, ut haec fere sententia sit: Ex his laudibus oritur partim temeritatis reformidatio, partim protervitatibus cet.' (Madvig).

7. *habes...formam*: so 4, 19 *habes...formam* eorum de quibus loquor philo-

sophorum; Tusc. 3, 38 habes formam Epicuri vitae beatae.

8, *quae tota*: see my note on Acad. 1, 27.

10. *aut qualem*: *aut* is due to the negative; cf. 2, 7; but in 1, 29 quid et quale; 37 quae qualisque.

11. *referantur...dicant*: Madvig calls this 'durissimus transitus,' and says it is not justified by the change from active to passive infinitive which sometimes occurs (§ 21 n.) nor by anything that is quoted by editors.

12. *voce inani sonare*: Cicero has in mind a passage of Epicurus *περί τέλους* which he renders in Tusc. 3, 42 saepe quaesivi ex eis qui appellabantur sapientes, quid haberent, quod in bonis relinquerent si illa detraxissent, nisi si vellent voces inanis fundere; nihil ab eis potui cognoscere, qui si virtutes ebullire solent et sapientias, nihil aliud dicunt nisi eam viam qua efficiantur eae voluptates quas supra dixi. Phrases like these were often used by Epicurus. The Epicureans argued that whatever opponents might say, all virtuous actions were done for pleasure, see Sen. d. 7. 9, 1. Cf. too Tusc. 5, 119 philosophi quorum ea sententia est, ut virtus perseipsa nihil valeat, omneque quod honestum nos et laudabile esse dicimus, id illi cassum quiddam et inani vocis sono decoratum. Sen. ep. 123, 10; Acad. 2, 71; Hor. ep. 1, 17, 41 virtus inane nomen.

13. *sub hanc*: Madvig shows that the

hanc vocem honestatis quae sit subicienda sententia. Vt enim consuetudo loquitur, id solum dicitur honestum, quod est populari fama gloriosum. 'Quod,' inquit, 'quamquam voluptatibus quibusdam est saepe iucundius, tamen expetitur propter
 49 voluptatem.' Videsne quam sit magna dissensio? Philosophus 5 nobilis, a quo non solum Graecia et Italia, sed etiam omnis barbaria commota est, honestum quid sit, si id non sit in voluptate, negat se intellegere, nisi forte illud, quod multitudinis rumore laudetur. Ego autem hoc etiam turpe esse saepe iudico et, si quando turpe non sit, tum esse non turpe, cum id a multi- 10 tudine laudetur, quod sit ipsum per se rectum atque laudabile; non ob eam causam tamen illud dici esse honestum, quia laudetur a multis, sed quia tale sit ut, vel si ignorarent id homines, vel si obmutuissent, sua tamen pulcritudine esset specieque laudabile. Itaque idem natura victus, cui obsisti non potest, dicit alio 15 loco id, quod a te etiam paulo ante dictum est, non posse iucunde

1 hanc vocem: *hac voce* codd.; corr. Wesenberg. 6 nobilis: *nobis* hys B.
 7 quid sit: *quod sit* B. 7 non sit: *non est* codd.; corr. Madvig. 10 esse: om. B.
 12 non ob eam causam tamen: *tamen non ob eam causam* B. 12 esse honestum: *honestum esse* B. 12 laudetur: *laudatur* B. 15 itaque idem: *ita idemque* E.
 16 quod: *quid* B. 16 a te etiam paulo: *ante paulo* E; *ante populo* B.

constr. of *subicere* is with dat. (above, 2, 6 *vis subiecta vocibus*; 2, 13 *huic verbo subiciunt*; 5, 36, and Acad. 1, 31) or *sub* and acc., and that the exx. quoted with the abl. break down on examination. In all instances where he mentions *sub* with abl. as occurring in editions, recent edd. give the acc. As he says, in Virg. Georg. 2, 19 *laurus parva sub ingenti matris se subicit umbra*, the words *se subicit* are equivalent to *crescit*.

2. *consuetudo loquitur*: cf. Ac. 1, 25 quibus (verbis) consuetudo utitur pro Latinis; for the change from or. obl. to recta see 1, 30 n.

3. *populari f. gloriosum*: see note on 1, 42; and cf. 1, 61 *illam umbram quod appellant honestum, non tam solido quam splendido nomine*; cf. notes on 3 §§ 11, 28; also Epict. d. 2, 22, 21 *ὁ Επικούρου λόγος ἀποφαίνων ἢ μὴδὲν εἶναι τὸ καλὸν ἢ, εἰ ἀρα, τὸ ἐνδοξον*: Acad. 2, 140 *illos qui nomen honestatis a se ne intellegi quidem dicant nisi forte, quod gloriosum sit in vulgus, id honestum velimus dicere*. Cf. too Philodem. rhet. ed. Sudhaus, p. 217, where it is said that the sophistical rhetoricians, when they chance to praise a good man and blame a bad (instead of *vice versa*),

take a *popular* and not a *natural* view of virtue: *κἀν ἀρα ποτὲ τῶν ἀγαθῶν τινες ἐνκωμιάζουσι καὶ τῶν ἀτόπων κατηγορώσω, οὐ τῶν κατ' ἀλήθειαν ὄντων ἀλλὰ τῶν τοῖς πολλοῖς νομιζομένων καὶ καθόλου τῶν τὰς δημώδεις ἀρετὰς καὶ κακίας ἐχόντων· εἰ γὰρ αὖ τῶν ὄντων ὡς ἀληθῶς, κἀν τὰς κατὰ φύσιν ἀρετὰς καὶ κακίας ᾔδεσαν* κ.τ.λ.

6. a quo...commota est: Sen. ep. 79, 15 quotes from a letter of Epicurus, who says that he and Metrodorus passed their lives unknown to and almost unheard of by Greece.

7. *barbaria*: the form *barbaries* seems to be of doubtful authority not only in Cicero, but everywhere else. Friedrich retains it in Brut. 258, but *barbaria* is nearer to the mss. and is rightly read by Martha.

9. *saepe*: goes with *turpe esse*, as is shown by *si quando*; but the collocation is awkward.

12. *illud...id*: note on 1 § 2.

14. *obmutuissent*: so that there could be no *multitudinis rumor*.

15. *natura victus*: cf. § 28 *vis est magna naturae*, with note; see also the argument in § 58; and Off. 1, 5 *si non...naturae bonitate vincatur* (of the Epicureans).

vivi nisi etiam honeste. Quid nunc 'honeste' dicit? idemne, quod 50 iucunde? Ergo ita: non posse honeste vivi, nisi honeste vivatur? An nisi populari fama? Sine ea igitur iucunde negat posse se

2 ergo: ego B. 3 posse se vivere: *posse vivere* codd.; corr. Baiter; *posse vivi* Lambinus.

1. quid nunc, etc.: Madvig seems to have somewhat misunderstood the argument (such as it is) when he says that to be consistent Cicero should have written *non posse iucunde vivi nisi iucunde vivatur*. The other substitution was made in order to lead up to *nisi populari fama*, which Epicurus had allowed to be the equivalent of *honeste*. Unless *nisi honeste vivatur* had preceded *nisi populari fama* there would have been absolutely no relevance in the latter phrase. (See below.) The criticism is in the nature of a quibble, but it is not so perverse as Madvig supposes. When the great scholar writes 'recte Cicero negat honesti notionem in Epicuri disciplina ullam certam et suam vim habere,' he seems to me unfair to Epicurus; at all events the statement would be equally true of all moral systems based on utility.

3. populari fama: sc. vivatur. The abl. is somewhat strange, and in may have fallen out after *nisi*; but cf. Phil. 13, 7 si non spiritu at virtutis laude vivemus, where Halm reads *cum laude* because cod. V has *claude*. Madvig thinks that Cicero should have written *an populari fama*, as an alternative to *idemne quod iucunde*? but assimilated the alternative in form to the words immediately preceding. In my view the alternative expressed by *an nisi populari fama* is an alternative merely to the last words of the previous sentence, *nisi honeste vivatur*.

Cf. also Aug. ep. 118, 3 dic mihi...quis eorum (philosophorum) finem actionum suarum constituerit in fama vulgi aut in lingua hominum vel bonorum atque sapientium?

posse se vivere: in a great number of passages of Cicero all the mss. or the best omit the pronominal subject of the infinitive, where, as in the codd. here, it is the same as that of the principal verb, and the principal verb is one of speaking or thinking. Considering how carelessly, in a vast number of places, the *codices* omit pronouns where they are obviously needed (for which see C. F. W. Müller's critical notes on S. Rosc. 61; Caec. 25; Cael. ap. Fam. 8, 3, 1), it is quite conceivable that all the examples are due to error. Müller has adopted correction in

nearly all the instances in his text of Cicero; but even he is not quite consistent; thus in Acad. 2, 81 non tu verum testem habere, sed eum non sine causa falsum testimonium dicere ostenderis, he inserts *te* before *testem*, but in S. Rosc. 61 confitere huc ea spe venisse, he does not import *te* into the text, nor in N.D. 1, 84 quam bellum erat confiteri potius nescire; ib. 109 puderet me dicere non intellegere; Acad. 2, 64 ut respondere posse diffiderem; Leg. 2, 7 at ego effugisse arbitrabar. And he leaves untouched Verr. act. pr. 23 hic alios negasse audere, alios respondisse non putare id perfici posse; Acad. 2, 104 alterum (sc. *ei*) placere (dicit) alterum (sc. *eum*) tenere; although in other similar passages the pronoun is supplied. It is not logically possible to separate the passages just mentioned from the following; Mur. 7 qui gravissime ferre dixit; Verr. 2, 4, 147 hoc memini dicere (sc. *me*); Leg. 3, 43 est boni auguris meminisse...praesto esse debere; Orat. 23 ego idem...recordor longe omnibus unum anteferre Demosthenen; ib. 38 fatetur; Leg. 3, 45 de quo servi et latrones scivisse aliquid dicerent; Tusc. 2, 40 ferre non posse clamabit; Fam. 4, 13, 6 omnes vias persequar quibus putabo ad id quod volumus pervenire posse (so Tyr.). Flacc. 85 ...non debuisse (sc. *eum*) but Flacc. is in prec. sent. When the pronominal accusative which would go with the infinitive already stands in the same case in a preceding clause it is very natural that it should be left out. So div. in Caec. 59 dicturum te esse audio, quaestorem illius fuisse; De Or. 3, 147 vel me licet existimes desperare ista posse perdiscere; ib. 18 an me tam impudentem esse existimatis ut vobis hoc praesertim munus putem diutius posse debere? (Here Wilkins reads *putem me*, other recent edd. keep to the mss.) Tusc. 1, 60 and Fam. 3, 8, 2. In all these exx. (so far as they come within his volumes of the Teubner text) Müller has inserted the pronoun, or otherwise changed, exc. Tusc. 1, 60. The number of places in Cicero's letters to Atticus in which the mss. omit the pronoun, while the edd. generally give it, is considerable: Att. 1, 7; 11, 24, 5 (P. inserts *te*, though it is just like 1, 7); 2, 16, 2 (se Boot) and T.

vivere? Quid turpius quam sapientis vitam ex insipientium sermone pendere? Quid ergo hoc loco intellegit *honestum*? Certe nihil nisi quod possit ipsum propter se iure laudari. Nam si propter voluptatem, quae est ista laus, quae possit e *macello* peti? Non is vir est, ut, cum *honestatem* eo loco habeat, ut sine ea iucunde neget posse vivi, illud *honestum*, quod popolare sit, sentiat et sine eo neget iucunde vivi posse, aut quicquam aliud *honestum* intellegat, nisi quod sit rectum ipsumque per se, *sua vi*, *sua sponte*, *sua natura* laudabile.

- 51 XVI. Itaque, Torquate, cum diceres clamare Epicurum non posse iucunde vivi, nisi honeste et sapienter et iuste viveretur, tu ipse mihi gloriari videbare. Tanta vis inerat in verbis propter earum rerum, quae significabantur his verbis, dignitatem, ut altior fieres, ut interdum insisteres, ut nos intuens quasi testificari laudari honestatem et iustitiam aliquando ab Epicuro. *Quam* te decebat eis verbis uti quibus si philosophi non uterentur, philosophia omnino non egeremus! Istorum enim verborum

1 ex: *et B.* 2 sermone pendere: *pendere sermone B.* 3 nam si: *non si B.*
 5 peti: *petitur B.* 5 ut, cum: *et cum B.* 6 quod popolare sit: *propter popolare sic B.*
 7 iucunde: *iocunde AB.* 9 sua sponte, sua natura: *sua natura, sua sponte B.* 14 testificari: *ita A²; testificare A¹; testificari B.*
 16 decebat: *ita A²; dicebat A¹B.* 16 eis: *his AB; corr. Baiter.* 16 non: *om. B.*

in a sentence where the reflexive occurs several times in the same sentence. There is good reason to suppose that Cicero sometimes omitted the pronominal subject before the fut. inf.; for this see note on 5, 31. This fact renders the mss. lections more tolerable in some passages where at first sight they are strange, as Har. resp. 7 cogit esse consecratum Miloni (M esse se); Quinct. 59 inferiorem esse patitur; but cannot be said to remove doubt.

1. quid turpius: sc. *est.*

4. macello: Div. 2, 59 si Epicuri liber de voluptate rosus esset, putarem annenam in macello cariorum fore. The *fauces macelli* was the haunt of fast men: Verr. 2, 3, 145; Quinct. 25.

5. non is vir est, etc.: an argumentum ad hominem from his character.

ut...ut: the same repetition in 3, 43.
 10. clamare: cf. § 65 and *vociferari*, as used by Lucret. 1, 733.

12. videbare: in the 2nd pers. sing. pass. and dep. *-vis* predominates so greatly in our mss. as to lead to the probability that Cicero employed it exclusively; in the pres. subj. and im-

perf. indic. and subj. and in fut. ind. *-re* is the commoner ending of the two. See Neue-Wagener, III, 202 sq.

13. dignitatem: cf. 3, 1.

14. altior: cf. Liv. 30, 32, 11 celsus haec corpore voltuque ita laeto ut vicisse iam crederes dicebat; 7, 16, 5 celsi et spe haud dubia feroces; Val. F. 2, 547 celsior armis taurus (after a victory); Stat. s. 1, 2, 7 Elegea...celsior assueto; V. Aen. 6, 49 maiorque videri (of the Sibyl possessed by inspiration). [Altiores is a false reading in Acad. 2, 127; see my note there.]

interdum insisteres: a sign of excitement, as in Sil. 10, 154 at fessus maerore simul cursuque metuque | et tamen haud irae vacuus non certa per aequor | interdum insists Perusinus membra ferebat; cf. Leg. 1, 15 crebro insists; Div. 2, 128 numquam animus insists; also § 119 finem fecimus et ambulandi et disputandi (with note).

17. verborum: for the stress laid on names cf. note on 2, 13; below § 67; De Or. 1, 120 impudentiae nomen effugere (wrongly suspected by some edd.); Off. 3, 57 vitiorum nomina subire.

amore, quae perraro appellantur ab Epicuro, sapientiae, fortitudinis, iustitiae, temperantiae, praestantissimis ingeniis homines se ad philosophiae studium contulerunt. 'Oculorum,' inquit 52 Plato, 'est in nobis sensus acerrimus, quibus sapientiam non 5 cernimus. Quam illa ardentis amores excitaret sui!' Cur tandem? an quod ita callida est, ut optime possit architectari voluptates? Cur iustitia laudatur aut unde est hoc contritum vetustate proverbium: 'quicum in tenebris'? Hoc dictum in una re latissime patet, ut in omnibus factis re, non teste move- 53 ro amur. Sunt enim levia et perinfirma quae dicebantur a te, animi conscientia improbos excruciaci, tum etiam poenae timore, qua aut afficiantur aut semper sint in metu ne afficiantur aliquando. Non oportet timidum aut imbecillo animo fingi non bonum illum virum, qui, quicquid fecerit, ipse se cruciet omniaque formidet, 15 sed omnia callide referentem ad utilitatem, acutum, versutum,

4 acerrimus: *acerrimis* A¹. 5 si videretur add. dett. post sui. 6 an quod...voluptates: affert Nonius, p. 70. 6 callida est: *classidas* Nonius. 11 etiam: *enim* B. 11 qua aut: ita A²; *qua ut* A¹B. 13 oportet: *omnem* E. Fort. in archetypo vel *ō* vel *ōtet* scriptum erat, ut in codice Veronensi Gai, quod E male interpretatus est. 13 imbecillo: *imbecilli* B. 14 quicquid: ita A; *quicquam* B. 15 versutum: *versatum* E.

1. quae perraro, etc.: this is probably a libel on Epicurus. See De Nat. D. 1 §§ 115, 123.

appellantur: § 29 n.

sapientiae: = *φρονήσεως*, note on I, 42, sapientia quae ars vivendi...est.

4. Plato: *Phaedr.* 250 D *ὁψις γὰρ ἡμῖν ὀξυτάτη τῶν διὰ σώματος ἐρχεται αἰσθήσεων, ἣ φρόνησις οὐχ ὀράται· δεινὸς γὰρ ἂν παρέχεν ἔρωτας εἰ τι τοιοῦτον ἑαυτῆς ἐναργὲς εἰδῶλον παρείχετο* eis *ὁψιν* lón. Translated also, a little more carelessly, in Off. I, 15: formam ipsam et tamquam faciem honesti vides, quae si oculis cerneretur, mirabiles amores, ut ait Plato, excitaret sapientiae; Sen. ep. 115, 3; 89, 1 utinam, quemadmodum universa mundi facies in conspectum venit, ita philosophia tota nobis possit occurrere, similimum mundo spectaculum. profecto enim omnes mortales in admirationem sui raperet relictis eis, quae nunc magna magnorum ignorantia credimus.

sensus acerrimus: see illustrations of this from Aristotle and others in my note on Acad. 2, 20 and add Hor. A. P. 180 (sight keener than hearing); Sen. ep. 6, 5 (the same); id. 124, 5 refers to Epic. subtilior adhuc acies nulla quam oculorum et intentior; Chalcid. in Tim.

c. 226 mentions Stoics who called God vision (*deum visum vocantes*). Sen. N.Q. 2, 12, 6 qu. from Aristotle applies this to explain the fact that the eye sees lightning before the ear perceives thunder.

6. architectari: note on I, 32: I, 42 (artifex).

7. contritum v. proverbium: the same phrase in Off. 3, 77, applied to the same proverb, *quicum in tenebris*; for which cf. Petr. 44 cum quo audacter posses in tenebris micare; Fronto, p. 13, Nab. aliud scurrarum proverbium: en cum quo in tenebris mices; Aug. de trin. 8, 5. *Micare* was sometimes an alternative for drawing lots; Off. 3, 90; Suet. Aug. 13. Cf. 3 § 38 and Sen. ben. 2, 10, 3.

9. re, non teste: note on § 28 hominum conscientia.

11. tum etiam: 'nec memini, tum sic posito, non praecedente cum, addi etiam' (Madvig ed. 1869). In ed. 1876 he gives Leg. 1, 35, and N D. 1, 43 (the latter due to Allen).

qua...afficiantur: cf. *possit* in 2, 43.

13. non bonum: so Acad. 2, 50; in De Or. 1, 118 the *mali* and the *non boni* are compared; cf. § 11 non dolendo.

15. callide...versutum: Cicero, N.D.

veteratorem, facile ut excogitet, quo modo occulte, sine teste,
 54 sine ullo conscio fallat. An tu me de L. Tubulo putas dicere?
 Qui cum praetor quaestionem inter sicarios exercuisset, ita aperte
 cepit pecunias ob rem iudicandam, ut anno proximo P. Scaevola

1 excogitet: *excogitare* B.

2 L.: *lucio* ABP.

3 ita: *itaque* B.

3, 25 versutos eos appello quorum
 celeriter mens versatur; callidos autem
 quorum, tamquam manus opere, sic
 animus usu concalluit.

2. de L. Tubulo: the story is obscure.
 L. Hostilius Tubulus was praetor in
 142 B.C., seven years after the Calpur-
 nian law had established the first per-
 manent criminal court, the *quaestio*
repetundarum. Cicero speaks as if by
 142 the *quaestio inter sicarios* had been
 established, with a magistrate as presi-
 dent for the year. There is no proof of
 this elsewhere; and, indeed, a passage
 of Ascon. in Mil. § 32 (p. 46) makes it
 probable that some years later, even if
 such a court had been organised, it had
 no regular magistrate or even sub-
 stitute allotted to it. It is known that
 under the law of Sulla a judge who took
 a bribe in a case of murder became
 liable to the same punishment as a
 murderer (Clu. 90; Dig. 48, 8, 1 pr.).
 Under the *lex repetundarum* the bribed
 judge was liable. But in this case
 Tubulus is punished by a *quaestio extra*
ordinem; the process by which this
quaestio was started closely resembles
 that by which a court was set up in 172
 to try M. Popilius (Liv. 42, 21, 2) and,
 indeed, seems to have been the usual
 proceeding. See Madvig. As to the course
 of the trial and its issue Ascon. p. 23 has
 a story obviously unknown to Cicero.
 The comment (which is on a passage of
 pro Scaur. 5, in which T. is called 'unum
 ex omni memoria sceleratissimum et
 audacissimum') runs thus: 'L. hic
 Tubulus praetorius fuit aetate patrum
 Ciceronis. Is propter multa flagitia cum
 de exilio accersitus esset, ne in carcere
 necaretur, venenum bibit.' The special
quaestio overrode *provocatio* according to
 Mommsen Staatsr. II, p. 110, but he says
 this is not exemplified in the case of
 Tubulus because he was treated as *exul*.
 Mommsen seems to have misunderstood
 Ascon. who means 'summoned in a case
 involving the penalty of exile.' Mommsen
 takes it to mean 'called back from
 exile,' cf. Strafrecht, p. 71 n.; de le-
 gatione revocatus in Att. 4, 15, 9. The
 other passages of Cicero where Tubulus
 is mentioned are below, 4, 77 and 5, 62;

N.D. I, 63 'Tubulus si Lucius umquam,
 si Lupus aut Carbo, Neptuni filius,' ut
 ait Lucilius, putasset esse deos, tam
 perflus aut tam impurus fuisset; ib. 3,
 74; Scaur. 5; Gell. 2, 7, 20 classes
 Catiline, Clodius and Tubulus together.
 Asconius seems to have confused Tubu-
 lus with Carbo the friend of the Gracchi,
 who is mentioned along with him by
 Lucilius. See Brut. 103; Fam. 9, 21, 3.
 The references to Tubulus in Cicero
 show that his story was well known at
 the time and no error could have been
 made about his death. The Scaevola
 who proposed the bill for the *quaestio*
 was the one afterwards known as
pontifex.

3. cum...exercuisset...cepit: the
 plup. is hard to explain. Madvig refers to
 Cato m. 41 haec cum C. Pontio...locu-
 tum Archytam, Nearchus Tarentinus
 se a maioribus natu accepisse dicebat,
 cum quidem ei sermoni interfuisse
 Plato. But the tense is accommodated
 (as Madvig himself indicates) not to
locutum but to *dicebat*; a similar explana-
 tion applies to Verr. act. pr. 23 and to
 Liv. 38, 58, 9 (in or. obl.) forte ita inci-
 disse ut, quo die ad Magnesiam L. Scipio
 Antiochum devicisset, aeger P. Scipio...
 abesset; and to 42, 33, 3 id tantum
 deprecari ne inferiores eis ordines quam
 quos, cum militassent, habuissent. The
 other passage given by M. is Liv. 32, 26, 2
 cum duos exercitus in provincia habu-
 isset...totum prope annum...consump-
 sit, is as hard as ours. It seems most
 likely that Cicero wrote *ceperat*. If
ceperat had been written *exercuisset*
 would have been intelligible. Possibly
 one bribe received by Tub. was in
 question and he may have received it,
 to save appearances, after the decision
 [but Cicero credits him with no desire
 to save appearances].

4. ob rem iudicandam: apart from
 ob eam rem, quam ob rem (rarely *quas*
ob res), quam ob causam, and the like,
 Cicero rarely uses *ob* of purpose ex-
 cepting in legal phrases. Mur. 1 ob
 consulatum obtinendum, is a rare ex-
 ception; cf. too Font. 17. I doubt
 whether ob hoc in Caec. 73 is sound;
 after the time of Cicero and Caes. such

tribunus plebis ferret ad plebem, vellentne de ea re quaeri. Quo plebiscito decreta a senatu est consuli quaestio Cn. Caepioni; profectus in exsilium Tubulus statim nec respondere ausus; erat enim res aperta.

5 XVII. Non igitur de improbo, sed *de callido improbo* quaerimus, qualis Q. Pompeius in foedere Numantino infitiando fuit, nec vero omnia timente, sed primum qui animi conscientiam non curet, quam scilicet comprimere nihil est negoti. Is enim qui occultus et tectus dicitur, tantum abest ut se indicet, perficiet
10 etiam, ut dolere alterius improbe facto videatur. Quid est enim

συνηδονος

1 tribunus plebis: TR. PL. AB. 1 ferret: ferrent B. 2 Caepioni: ita A et cod. Morelianus; scipioni B; C. N. Scipioni P. 3 ausus: ita codd.; ausus est ed. Romana, Baiter. 5 sed de callido: sed callido AB; de om. codd. exceptis Lincolnensi et dett. nonnullis. 6 foedere: fodere A; federe B. 7 timente: timentē A; timentem B; corr. Lambinus. 9 tectus: rectus B. 10 etiam: ita A; et B. 10 improbe: ita B; improbo A et Crat.

expressions (*ob id*, *ob quod*, etc.) became common, and *ob hoc* might easily have been inserted in Caec. l.l.

1. *quo pleb.*: 'in consequence of'; so 1, 63 *ea scientia*; below § 66 *hic dolor = d. hinc ortus*.

3. *profectus*: for the omission of *est* cf. § 55 *contraque*....

5. *sed de*: *de* only given by inferior codd. *callido improbo*: the attachment of an adj. to a nominalised adj. or part. is not uncommon in Cicero; so Att. 12, 21, 5 *fortis aegroti*; Ad Herenn. 2, 32 *paupere improbo*; Verr. 2, 4, 89 *improbi praesentis*; Lael. 54 *insipiente fortunato*; Q. Fr. 1, 3, 1 *spirantis mortui*; Phil. 11, 20 *nihil agenti privato*; cf. too Publil. 103 (ed. Bickford-Smith) *intemperans aeger*; Liv. 4, 48, 13 *privatum inopem*; Sen. ben. 4, 10, 5 *pauperi viro bono* (ib. ep. 66, 21); Sen. Rh. contr. 2, 1, 28 *novicio divite*; Pers. 3, 83 *aegroti veteris*. Phrases such as *malum publicum*, *bonum publicum*, *pessimum publicum*, *nonnulli nostri iniqui*, etc. are common. Planc. ap. Fam. 10, 8, 4 *boni civis imparati*.

6. Q. Pompeius: the story, as Madvig remarks, testifies to *impudentia* rather than *calliditas*. As Cicero is moralising here, he might have stated that nine years afterwards this man was entrusted with the care of Roman morals, being appointed censor.

infitiando: the connexion with *fateri* is sometimes emphasised, as Part. or. 50 *multi...mori maluerint falsum fatendo quam verum infitiando dolere*; Sest. 40 *infitiando confiteri*. The spelling found in

old edd., *inficiiae*, *inficiari*, is of course erroneous.

7. *omnia timente*: a common endphrase (seven exx. in speeches) but *omnia timuimus* is pronounced 'unerträglich' by O. E. Schmidt in Att. 11, 23, 3 (N.J. 1897 and Rh. M. 1898).

primum: *deinde* should follow; the anacoluthon is picked up § 57 *deprehensum omnem poenam contemnet*. Erit enim....

9. *tantum abest ut...perficiet*: excepting in a few passages, confined to Cicero, *tantum abest ut* is followed by a second *ut*; there is another ex. of the independent clause below, 5, 57; cf. also Brut. 278; Att. 13, 21, 5. A rare (and older) form is *tantum abest ab eo ut...ut*; Tusc. 1, 76; Liv. 25, 6, 11. With *ab eo*, *abest* still remains impersonal, but if a noun with *ab* follows, it becomes personal as in Brut. 156; Off. 1, 43; Marc. 25, and then, of course, no second *ut* succeeds. A rare form is *tantum abest ne...ut*, found in Or. 229 (mss. but edd. mostly write *ut*).

10. *improbe facto*: as Madvig says, it is unlikely that copyists would substitute this for *improbo f.*; cf. too 57 *improbe fecit*. A few expressions like *recte factum*, *male factum*, *bene paria* (*male admissa*, Tac. dial. 12) are common; apart from these the combination of an adverb with a nominalised passive participle, though rare, is well attested. Editors have sometimes erred in obliterating the usage; thus the mss. reading in Lucr. 5, 1224 *nequod ob admissum foede dictumve superbe* is, I believe,

cr

55 aliud esse versutum? Memini me adesse P. Sextilio Rufo, cum is rem ad amicos ita deferret, se esse heredem Q. Fadio Gallo, cuius in testamento scriptum esset se ab eo rogatum, ut omnis

1 Rufo: *fuso* A.
et *fadius* in § 58).

2 Fadio: *fabio* ABP (AE tamen recte habent *fadiae* in § 55

sound; *admissum* is a noun, even in Cicero, Part. Or. 120, and so *ne quod* can agree with it, but it retains so much of its verbal character as to justify the attachment of the adverb. It may be doubted whether Lucretius would have employed the construction: ob *plus* nominal acc. *plus* passive participle. The first certain example of the usage seems to be in Sall. Jug. 79, 7 ob rem corruptam domi. With the Lucretian line cf. Cic. Sull. 72 *ecquod* est huius factum aut commissum, non dicam audacius, sed quod cuiquam paulo minus consideratum videretur? Lael. 6 multa eius...vel provisa prudenter, vel acta constanter, vel responsa acute ferebantur; Nep. Timoth. 1, 2 multa sunt huius praeclara facta.

quid est aliud, etc.: note on § 16.

1. memini me adesse: in my note on Lael. 2 I wrote: 'if the person who recalls an event was a witness of it, he may either (a) vividly picture to himself the event and its attendant circumstances so that it becomes really present to his mind's eye for the moment, in which case he uses the present infinitive, or (b) he may simply recall the fact that the event *did* take place, in which case the perfect infinitive is used. If he was not a witness he evidently can conceive the event only in the latter of these two ways.' In colloquial English, the difference is the same between 'I remember going' and 'I remember that I went.' The perf. inf. of personal experiences grows commoner, I think, in the later Latin; so Sen. clem. 2, 1, 1; 5, 24, 1; ep. 11, 4; 75, 9; 95, 26; Quint. 9, 4, 90; 10, 3, 12; Plin. ep. 2, 14, 10. There is the same distinction between *vidi* with pres. and perf. inf. (Cael. 28 *vidi...emersisse*).

2. rem...deferret: Madvig notes that the expression *res deferretur* is commonly employed of something already mentioned. But he quotes Verr. 2, 1, 64 is ad eum rem istam deferret, Philodamum esse quendam, etc.; C. F. W. Müller compares *rem tempore* in Liv. 1, 57, 3; 2, 35, 4; Hor. ep. 2, 1, 164; for *referre*, *deferre* rem, cf. Verr. 2, 4 § 85.

Fadio: the dat. with *heres* was re-

tained, when similar datives, common in old Latin, had been replaced by genitives. The parallels in Cicero are nearly all in legal or official phrases like *tutor liberis*, *legatus consuli*. Thus Cat. 2, 11 huic ego me bello ducem profiteor, is a rarity. After Cicero's time, the older usage was revived by the archaists; see Landgraf in Archiv 8, 66 sq. [The phrase *accusatorem filio suo* occurs thrice in Clu. 190-2; but I take it to be an error induced, as often, by the ignorance of the scribes about the true form of the gen. *filii*.]

3. omnis hereditas: Fadius was intended by the testator to be merely nominal *heres*, bound privately to hand over the property to the daughter who, by the Voconian statute, could not be instituted *heres*. Scholars have usually inferred from this passage that the courts at the time did not enforce, as they did at a later time, an agreement between the testator and the *heres* to defeat the statute. In this case the agreement was not provable by independent evidence so that the inference is not quite certain. The words indicate that such agreements were usual (*quod debuisset rogare*) and that if definite proof had existed, custom if not law was strong enough to compel Sextilius to surrender the property (*hunc mentiri cuius interesset*). The passage also shows that the statute aimed at preventing a woman from succeeding to more than a certain proportion of an estate; this proportion is stated by Ps. Quint. decl. 264 to have been half. As Cicero says *omnis hereditas* and not *hereditas* merely, it is natural to suppose that the will mentioned the daughter and bestowed on her as much as the statute permitted. But many scholars have assumed that she stood to get either all or nothing. Whether the lex Voconia restricted a woman's right of succession when there was no will, is a much disputed question. It is natural to suppose that in the present case Fadia was an only daughter. Unless the statute prevented it, Fadius might simply have refrained from making a will, in which circumstances his

hereditas ad filiam perveniret. Id Sextilius factum negabat. Poterat autem impune; quis enim redargueret? Nemo nostrum credebat, eratque veri similis hunc mentiri, cuius interesset, quam illum, qui id se rogasse scripsisset, quod debuisset rogare.

5 Addebat etiam se in legem Voconiam iuratum contra eam facere non audere, nisi aliter amicis videretur. Aderamus nos quidem adulescentes, sed multi amplissimi viri, quorum nemo censuit plus Fadiae dandum, quam posset ad eam lege Voconia pervenire.

Tenuit permagnam Sextilius hereditatem, unde, si secutus esset eorum sententiam, qui honesta et recta emolumentis omnibus et commodis anteponebant, nummum nullum attigisset. Num igitur eum postea censes anxio animo aut sollicito fuisse? Nihil minus, contraque illa hereditate dives ob eamque rem laetus.

15 Magni enim aestimabat pecuniam non modo non contra leges, sed etiam legibus partam; quae quidem vel cum periculo est quaerenda vobis. Est enim effectrix multarum et magnarum voluptatum. Vt igitur illis qui, recta et honesta quae sunt, ea 56 statuunt per se expetenda, adeunda sunt quaevis pericula decoris honestatisque causa, sic vestris, qui omnia voluptate metiuntur,

20 pericula adeunda sunt, ut adipiscantur magnas voluptates. Si magna res, magna hereditas agetur, cum pecunia voluptates pariantur plurimae, idem erit Epicuro vestro faciendum, si suum finem bonorum sequi volet, quod Scipioni magna gloria proposita, si Hannibalem in Africam retraxisset. Itaque quantum adiit

concrete
cass

1 Sextilius factum: factum Sextilius B. 2 redargueret: redarguet A¹. 3 hunc: hanc B. 4 id: om. B. 13 eamque: eam B. 18 quaevis: ita codd. aliquot; seu A (correctum, ut videtur, ex seu); sepe B. 22 pariantur: periantur A¹. 22 idem: ita codd. aliquot; idemque AB.

object would have been accomplished. Perhaps the will contained other provisions which the *heres* was to carry out before handing over the estate to the daughter.

The case mentioned in § 58 should be taken into account. The lady there was surprised that S. Peduc. handed over to her what he had a right to keep. This cannot surely have been the whole property?

5. *se in legem iuratum*: Madvig says that this can only mean that Sextilius had taken a magistrate and had taken the customary oath to obey the whole body of statutes. But it is possible that, when trying some case under the Voconian law, S. had taken an oath to observe it. Cicero several times speaks as if the taking of oaths to observe particular statutes were not uncommon; so Clu. 91-6, esp. 92 si in aliquam legem

aliquando non iuraverat; Sext. 61 quasi vero ille non in alias quoque leges iam ante iuraverit.

6. *nisi aliter*: see n. to 1, 28 nisi molestum est.

7. *sed multi*: after *nos quidem*, *etiam* is not needed.

11. *attigisset*: Qu. Rosc. 35 si quid communi nomine tetigit (of money).

13. *dives*: for the omission of *erat* see n. on 1, 3. But the construction of the abl. *illa* hereditate is strange. Has *factus* fallen out after *dives*?

16. *est enim*, etc.: Epict. d. 3, 7, 15 ὁ πλοῦτος δὲ ἀγαθόν, καὶ οὐκ ἀνελὲν τὸ ποιητικώτατον γε τῶν ἡδονῶν· διὰ τί μὴ ποιήσῃ αὐτόν;

17. *quae sunt*: for the postponement of the relative in the clause cf. 2, 86; 4, 45.

24. *itaque*: i.e. gloria proposita.

periculum! ad honestatem enim illum omnem conatum suum referebat, non ad voluptatem. Sic vester sapiens magno aliquo emolumento commotus pecuniae cum causa, si opus erit, dimicabit

57 Occultum facinus esse potuerit, gaudebit; deprehensus omnem poenam contemnet. Erit enim instructus ad mortem contemnendam, ad exsilium, ad ipsum etiam dolorem. Quem quidem vos, cum improbis poenam proponitis, impetibilem facitis, cum sapientem semper boni plus habere vultis, tolerabilem.

XVIII. Sed finge non solum callidum eum, qui aliquid im-

3 cum causa, si: ita AB; vid. comm.; *animi causa* codd. nonnulli. 3 erit: ita ABE; fuerit Madv. 6 quem: quam B.

3. cum causa...dimicabit: 'cum ipsa causa indicata sit (*magno aliquo emolumento commotus*) universe dicere *cum causa*, hoc est, non sine causa (II De Orat. 247, in Verr. 2, 1, 21) dimicaturum sapientem Epicureum, perversum est; nec, cum causa an sine causa, sed quid omnino paratus sit facere, quaeritur.' These objections of Madvig seem to have been accepted by all succeeding scholars who have dealt with the passage; but I venture to think that they are unsound. In the first place, there seems to be a fallacy in the phrase *universe*; it is true that *cum causa* refers to the general principle that one must have reason to fight, but this general principle is introduced in the closest connexion with the special statement. One cannot see why Cicero should not say that the hope of great gain is good reason for fighting. It is true that the words *cum causa* might have been dispensed with, but there is nothing unnatural in their addition: 'excited by the hope of some great gain, he will fight with good reason.' Again, the assertion that the question here is not whether the *sapiens* will fight with or without reason, but whether he will fight at all, seems to be most arbitrary. This argument, if pressed, would tell just as much against the words *magno... commotus* and *si opus erit* as against *cum causa*. For *cum causa* De Or. 2, 247; Q. Fr. 1, 2, 6; Verr. 2, 1, 21; Cael. 68; Varro r.r. 1, 17, 4; 3, 16, 7; Ad Herenn. 2, 45; ib. 2, 5; Tac. an. 13, 37 uses *causā* alone; Ovid, Her. 19 (20), 140 *per causam*, 'having a good excuse'; so also *cum ratione facere aliquid* (Cic.; Ad Herenn., and others). [Of the numerous emendations Moritz Haupt's *cum Medusa* is the most curious.]

4. potuerit, gaudebit: this seems to be on the same pattern as Graeculus esuriens in caelum, iusseris, ibit (Juven. 3, 78). For *exx.* from Cicero and others see Kühner, Gram. 2, p. 760.

5. instructus ad: so De Or. 3, 31; Verr. 2, 4, 41; Pl. Bacch. 373 omnis ad perniciem instructa domus; Ter. Haut. 450 quam ea nunc instructa pulchre ad perniciem siet; etc.

7. impetibilem: *passibilis* and *impassibilis* belong to the Ecclesiastical writers; *impetibilis* and *patibilis* ('endurable' in Tusc. 4, 51, but in N.D. 3, 29 *natura patibilis* = παθητική οὐσία) were probably invented by Cicero. In early Latin the termination *-ibilis* was attached to the stem of the verb, not to that of the participle; so *ascendibilis* (Pomp.) while *ascensibilis* is late; *odibilis* (Accius, Varro); *conductibile* is given in Plaut. Trin. 25 by ABCD; in 36 rightly by A where BCD have *conductibile*. Ad Herenn. 2, 21 *conductibile*. In Cic. Acad. 1, 41 *comprehendibile* is the right reading; *comprehensibilis* does not occur till Sen. n. q. 6, 24, 1; *incomprehensibilis* is in Colum. Plin. Sen. The only two words in Cicero formed differently are *flexibilis*, *plausibilis*; the latter only in Div. in Caec. 8 and Tusc. 3, 51. Varro has *alibilis*, *restibilis*. Some curious words of the kind appear in late Latin, as *docibilis*, *dicibile* = δῆλον, C. Gl. Lat. 2, p. 48, l. 41; *discernibilis* (Aug.). The termination *-ilis* was attached to the participial stem quite early (*altilis*, *sensilis*, *missilis*).

8. semper boni plus: see 5, 93.

9. callidum: Tyrrell says on Att. 1, 16, 5 that Crassus is here put forward as the type of the *callidus*; but Crassus here illustrates *prae potentem* not *callidum* and is on the same plane as Pompeius.

probe faciat, verum etiam praepotentem, ut M. Crassus fuit, qui tamen solebat uti suo bono, ut hodie est noster Pompeius, cui recte facienti gratia est habenda; esse enim quam vellet inicus poterat impune. Quam multa vero iniuste fieri possunt quae nemo possit reprehendere! Si te amicus tuus moriens rogaverit ut hereditatem reddas suae filiae, nec usquam id scripserit, ut scripsit Fadius, nec cuiquam dixerit, quid facies? Tu quidem reddes; ipse Epicurus fortasse redderet, ut Sex. Peducaeus, Sexti filius, is qui hunc nostrum reliquit effigiem et humanitatis et

*Illusion of
time of
dialogue*

1 qui tamen: ins. non Cobet. (Mnemosyne, 1880, p. 191). 2 noster: vester B.
3 inicus: iniquus iustus A. 6 suae filiae: ita A; filiae suae B. 7 ut scripsit:
om. cod. Morel. 7 Fadius: foedus cod. Morel. 7 quid: quod B.

2. uti: =give rein to, indulge, cf. Vell. 2, 52, 2 usus impetu suo = 'indulging his natural impetuosity.' Att. 2, 1, 8 optimo animo utens. Fam. 2, 16, 6 utor aetatis vitio.

suo bono: what is this? As Madvig says, it cannot be *potentia*, because of *tamen*; for this reason, doubtless, Cobet in Mnemosyne (1880) added *non* after *tamen*. Madvig makes *bono* = *pecunia*; but this is far from satisfactory; the *potentia* rested on the money and Cicero could hardly say that Crassus used the one, not the other; nor can he have intended to assert either of Crassus or of Pompey, that he did not make use of his *potentia* at all. Moreover, Cicero does not intend to be uncomplimentary here to Crassus, any more than to Pompeius (who is *bonitatis eximiae*, Sen. dial. 10, 13, 6). Cf. Vell. P. 2, 46, 2 Crasso, ... qui vir cetera sanctissimus immnisque voluptatibus neque in pecunia neque in gloria concupiscenda aut modum norat aut capiebat terminum. The word *bono* must be used for *bonum animi* as in Marc. 19 gaude tuo tam excellenti bono; Fam. 6, 5, 3 ne punctum quidem temporis in ista fortuna fuisses nisi eo ipso bono tuo, quo delectatur, se violatum putasset (see the context); Cael. 11 qui se... naturali quodam bono defenderet; Sen. ep. 13 § 15; Nep. Thras. 1, 3 quae ille universa naturali quodam bono fecit lucri; Cicero, Off. 1, 114 suum quisque igitur noscat ingenium, acremque se et bonorum et vitiorum suorum iudicem praebeat; Liv. 7, 6, 3; 35, 43, 1; C.I.L. 3, 1759 eximiumque bonum corporis atque animi; Hieron. ep. 1, 5 (Migne) conscientiae bono fruitur. [Ov.] Her. 21, 37 nunc laudata gemo, nunc me certamine vestro perditis, et proprio vulneror ipsa bono. Here, therefore,

suo bono is not like *sua bona* in 'o fortunati nimium sua si bona norint,' and bonis suis obsessus. Sen. ep. 19, 11; 7, 12 bona tua; 13, 15; 26, 2 bono suo utatur; 71, 8; 75, 9; 76, 10; 93, 2. *Bonum* and *bona* may indicate blessings of any kind, bodily, mental, or external, or a combination of these; cf. N.D. 1, 103 utatur suis bonis oportet qui beatus futurus est; Fam. 15, 14, 3 bono litterarum utemur; Cato m. 33; Tusc. 5, 27; naturae bono (Sen. d. 4, 15, 2); utuntur natura sua (bad), Sen. ben. 1, 1, 9; ex bono suo ortis, Sen. d. 7, 4, 5; C.I.L. 6, 1779 (Bücheler, c. ep. 111, 22) disciplinarum bono; Petron. 75 (Büch.) bonum tuum concoquas; Phaedr. 1, 2, 30 qui noluistis vestrum ferre, inquit, bonum malum perfecte; Tac. dial. 41 bonosaeucl sui. For the opposite phrase cf. Vell. P. 1, 6, 2 Sardanapalum... nimium felicem malo suo; Hieron. ep. 22 § 24 naturali ducimur malo; Brut. 130 naturale quoddam stirpis bonum; ib. 234; Persius 2, 63 et bona dis ex hac scelerata ducere pulpa.

noster Pompeius: the illusion of the dialogue is kept up; see Vell. P. 2, 29, 4 potentia sua numquam aut raro ad impotentiam usus (of P.).

3. quam vellet: for the so-called 'potential subjunctive' see n. on velit in 3, 65.

8. Peducaeus: the elder was the praetor to whom Cicero was attached as quaestor in Sicily; the younger was a close friend of Cicero and Atticus.

9. effigiem: so Phil. 9, 12 nullum monumentum clarius Ser. Sulpicius relinquare potuit quam effigiem morum suorum, virtutis constantiae pietatis ingeni filium; Fam. 6, 6, 13; Liv. 5, 18, 5; 26, 41, 24.

probitatis suae filium, cum doctus, tum omnium vir optimus et iustissimus, cum sciret nemo eum rogatum a C. Plotio, equite Romano splendido, Nursino, ultro ad mulierem venit eique nihil opinanti viri mandatum exposuit hereditatemque reddidit. Sed ego ex te quaero, quoniam idem tu certe fecisses, nonne intellegas 5 eo maiorem vim esse naturae, quod ipsi vos qui omnia ad vestrum commodum et, ut ipsi dicitis, ad voluptatem referatis, tamen ea faciatis, e quibus appareat non voluptatem vos, sed officium sequi, plusque rectam naturam quam rationem pravam valere.

59 Si scieris, inquit Carneades, aspidem occulte latere uspiam, et 10 velle aliquem imprudentem super eam assidere, cuius mors tibi emolumentum futura sit, improbe feceris, nisi monueris ne assidat; sed impune tamen; scisse enim te quis coarguere possit? Sed nimis multa. Perspicuum est enim, nisi aequitas,

2 cum sciret: tum sciret E. 2 C.: Gaio AB. 3 Nursino: mirsino A¹.
7 et, ut ipsi: et ipsi ut B. 9 plusque rectam: plus quam rectam B. 12 emolu-
mentum futura: ita AB Crat. cod. Morel.; emolumentum factura Orelli cum cod.
Glogavensi; emolumento futura duo codd. Oxonienses. 12 ne: eum ne B.
13 assidat: ita AB. 13 impune: ita AB; impune Orelli.

2. Plotio: unknown.

3. Romano...Nursino: all equites were Roman; sometimes the phrase *municipalis eques*, of one whose domicile is in a *municipium*, is disparaging. Mayor on Juven. 8, 238; Mommsen, Staatsr. III, 562 ff.

splendido: a mere social epithet, since there were no technical distinctions of rank among the *equites* in Cicero's time; on the evolution of distinctions under the Empire, and the use of *splendidus*, *illustris*, etc., as applied to the *eques*, see Mommsen, l.l.

nihil op.: a variant for *necop*.

4. mandatum: on the technical legal use of the word see Roby in Dict. Ant.

5. nonne intellegas: Merguet's *lexica* give five exx. of *nonne* in indirect question (dependent on *quaerere* in every instance, so below, 3, 13); add Or. 214; said by Draeger, § 467 e, not to occur outside Cicero. In direct interrogation *nonne* seems to be avoided by some writers; Caes., Sall. and Tac. have it once only; Sen. Rh. not at all.

6. vim naturae: § 28 n.

7. commodum...voluptatem: so § 61 utilitates...voluptates.

9. plusque rectam naturam...valere: rather pleonastic after maiorem vim naturae above.

10. si scieris...feceris: there can be no

reason for assuming (with Draeger 2, p. 717, ed. 2) that *scieris* is perf. subj.

12. emolumentum: Roby [add *ornamentum* (several times in Cicero)], Gram. 2, p. xxix, gives exx. of nouns used in nom. where predicative dat. is also common; add to his list *adiumentum*, Att. 12, 29, 2; exemplum, Liv. 8, 7, 17; Ter. Ad. 771 (in mss.); honos, Plin. n. h. 21, 11; religio, Liv. 6, 27, 4 and Plin. n. h. 18 § 8, 19 § 133, 25 § 30. [There is little authority for *veneno esse*; the text of Varro, r.r. 1, 2, 18, gives it; but this place is rendered suspicious by the fact that we have *venenum* in other passages of the r.r., viz. 1, 2, 20; 1, 45, 2; 1, 51, 1; and Plin. in two passages, viz. 16, 79 and 22, 78, couples *venenum est* with a predicative dat. as though *veneno est* did not exist; and in 24, 2 praesentaneo veneno is governed by *in* to be supplied from the preceding clause. It is therefore rash to write *veneno* rather than *venenum* at the end of Lucr. 1, 759 where mss. have *vene* only; esp. as Lucr. has *venenum est* in 6, 973 and 4, 637.]

13. impune: 'miror cur hoc uno loco Cicero hac forma usus sit, qua praeter eum unus, qui supersit, Matius (ad Fam. xi, 28, 3)' (Madvig). It is perhaps more likely that the copyists introduced *impune* for *impune*, which one of Mendels-

fides, iustitia proficiscantur a natura, et si omnia haec ad utilitatem referantur, virum bonum non posse reperiri; deque his rebus satis multa in nostris de re publica libris sunt dicta a Laelio.

- 5 XIX. Transfer idem ad modestiam vel temperantiam, quae 60 *fuster*
est moderatio cupiditatum rationi oboediens. Satisne ergo *canonic*
pudori consulat, si quis sine teste libidini^{re}pareat? an est aliquid *virtus,*
per se ipsum flagitiosum, etiam si nulla comitetur infamia? Quid? *σοφισμῶν*
fortes viri voluptatumne calculis subductis proelium ineunt,
10 sanguinem pro patria profundunt, an quodam animi ardore
atque impetu concitati? Vtrum tandem censes, Torquate, *Im-*
periosum illum, si nostra verba audiret, tuamne de se orationem
libentius auditurum fuisse an meam, cum ego dicerem nihil eum
fecisse sua causa omniaque rei publicae, tu contra nihil nisi sua?
15 Si vero id etiam explanare velles apertiusque diceres nihil eum
fecisse nisi voluptatis causa, quo modo eum tandem laturum fuisse
existimas? Esto, fecerit, si ita vis, Torquatus propter suas uti- 61
litates (malo enim dicere quam voluptates, in tanto praesertim
viro); num etiam eius collega P. Decius, princeps in ea familia
20 consulatus, cum se devoverat et equo admisso in mediam aciem

5 vel...rationi: vel cupiditatum temperantiam quae est moderatio rationi B.
18 post enim addit ita Bremi; sic Klotz. 19 etiam: et B. 19 eius collega:
ita A; collega eius B. 20 devoverat; devoveret codd. et edd. nonnulli.

sohn's mss. gives in the passage of Matus.

3. dicta a Laelio: in Rep. 3 he refutes Philus who had rendered the argument of Carneades to the effect that justice is based on expediency.

5. transfer idem: cf. Lucr. 1, 870 transfer item; above § 14 transfer in animum.

7. consulat, si quis: for si quis equivalent to *δοῦναι* cf. n. on pro Sull. 31.

9. voluptatum calculis: cf. Lael. 58 exigue et exiliter amicitiam ad calculos vocare; below, § 78.

11. Imperiosum: Cicero refers to the T. Manlius who slew his son (see 1, 23) and evidently attributed the cognomen *Imperiosus* to that incident; and so Liv. 4, 29, 6 and Front. Strat. 4, 1, 40; also Claudius Quadrigarius ap. Gell. 9, 13, 20. But in 7, 4, 5 Livy says that the father of this Manlius, viz. L. Manlius, earned the title by his cruelty to this very T. Manlius. And the name *Imperiosus* (or rather *Imperiosus*) is attached to the father in the *Fasti Capitolini*, under the years 391, 395 a. u. c., whereas the grandfather is

called Capitolinus. 'Accidisse idem in Capitolinorum vetusto cognomine, notum est, ut eius origo a re illustri falso repeteretur' (Madvig). The expression *Manliana imperia* was proverbial; below, § 105; Liv. 4, 29, 6; 8, 7, 22; 8, 34, 2. Gell. 1, 13, 7 makes a curious mistake: Liv. 4, 29, 6, arguing against a story to the effect that a Postumius had been guilty of cruelty to his son, argues that if it had been true, the proverb would have been *Postumiana imperia* not *Manliana*. But Gellius joins the two as though both had been in vogue. He quotes *Manlia imperia* from Claudius Quadrigarius (9, 13, 20). Sen. ben. 3, 37, 4.

18. malo enim dicere quam: so Fam. 3, 10, 1, but in Att. 13, 42, 1 malo ita d. q.

19. princeps...consulatus: often the gen. of gerund or gerundive follows *princeps* used in this sense; so in many writers. Sometimes *ad* and acc. Pr. philosophiae wrongly questioned by Boot in Mnem. xxiii on Tusc. 4, 44. For princeps 'founder' see n. on Acad. 2, 129.

20. devoverat: as to the reading devo-

Latinorum irruebat, aliquid de voluptatibus suis cogitabat? Vbi ut eam caperet aut quando, cum sciret confestim esse moriendum eamque mortem ardentiore studio peteret, quam Epicurus voluptatem petendam putat? Quod quidem eius factum nisi esset iure laudatum, non esset imitatus quarto consulatu suo filius, neque 5 porro ex eo natus cum Pyrrho bellum gerens consul cecidisset in proelio seque e continenti genere tertiam victimam rei publicae 62 praebuisset. Contineo me ab exemplis. Graecis hoc modicum

1 ubi ut: ita A¹B; ubi aut A².

4 esset iure: iure esset B.

5 consulatu:

consolatu A.

6 Pyrrho: pirro AP; pyrrho B.

7 e: om. B.

8 modicum:

modo cum A¹.

veret Madvig says 'quaeritur num duo verba copulative coniuncta eidem conjunctioni, quae propter ipsam copulationem necessario eandem principalem vim retineat, diverso modo subici possint.' He allows this to Propertius, 'poeta oratione durissimus,' but denies it to prose writers. In the present passage there is 'una et simplex temporis significatio.' In S. Rosc. 81 edd. generally have followed Madvig in correcting the mss. Occasionally something is interposed which compels a change of mood; or there may be a change of point of view; M. quotes Quinct. 60 quod neque pecunia debebatur et, si maxime deberetur, commissum nihil esset; Liv. 38, 36, 4 (quod with ind. followed by quod with subj., the statement in the second place being presented as the view of others than the writer). Cf. 1, 24 n. on et vetuit, 4, 43 n. In other circumstances, where the verbs dependent on cum are not 'copulative coniuncta' and the cum is repeated, a change of mood is common enough; so Fam. 9, 16, 7; Liv. 44, 39, 7; 30, 44, 10. In Verr. 4, 77 there is some distance between the two cum clauses and slight or. obl. intervenes. In Quintil. 5, 6, 4 cum faciat et...liberat is still kept by Meister. Cf. Leg. agr. 2, 64 tum cum haberet et tum cum erant; Fam. 9, 2, 4 noteworthy change with (repeated) dum; cf. Varro r.r. 1, 2, 12 dum videatis et venit aeditum (cf. 1, 5, 4); Liv. 29, 37, 8 cum ad tribum Polliam ventum est et praeco cunctaretur, in spite of Madvig. Madvig thinks the tense of devoveret necessarily wrong, because as Dav. pointed out the devotio consisted in the religious ceremony which was over when D. dashed on the foe (Liv. 8, 9, 9). But not much stress is to be laid on this argument. Yet see Div. 1, 51; Liv. 9, 4, 10;

ad Herenn. 4, 57; Sen. ep. 67, 9 D. se pro re p. devovit [et]...irruit.

1. irruebat: the devotio in battle was not peculiar to the Romans; Liv. 10, 38 records it among the Samnites, and something of the kind happened among the Gauls. On devotio generally see Bouché-Leclercq ap. Daremberg and Saglio s.v.

ubi ut eam caperet: Madvig copiously illustrates by exx. from different authors of quid ut, ut quo, and even ut qualiter, ut quam multi (the last two in Pliny) at the beginning of questions. He points out that Cic. Att. 7, 7, 7 rendered *iva ri*; by ut quid? Also Mart. 3, 77, 10; add Cic. Quinct. 44, and see Wölfflin in Archiv 4, 617, 8.

2. eam: spite of voluptatibus: the transition from plural to singular is much rarer than that from singular to plural. Madvig quotes Acad. 2, 22, but I have shown in my note there that the passage should be differently interpreted. The same may be said of Div. 1, 72 ea genera divinandi non naturalia sed artificiosa dicuntur; in quo haruspices...numerantur. It is not necessary to supply genere with quo as Madvig does; in quo=in qua re is a fixed phrase referable to an antecedent in any gender or number. I have illustrated the passage from the general singular to the plural in my note on Acad. 1, 38 (perturbationem).

4. iure: =suo iure; per se.

6. cum Pyrrho: so Tusc. 1, 89; but elsewhere, as Off. 1, 61 and 3, 16; Cato m. 75; Parad. 12; Sest. 48. Cicero speaks of two Decii as having sacrificed themselves. There is no warrant in history for the story of the devotio of the third Decius, or for his death in battle.

7. e continenti genere: like terra continens, natura c. 'from the same family in unbroken succession.'

est: Leonidas, Epaminondas, tres aliqui aut quattuor; ego si nostros colligere coepero, perficiam illud quidem ut se virtuti tradat constringendam voluptas; sed dies me deficiet, et, ut A.

Varius, qui est habitus *iudex* durior, dicere consessori solebat, cum datis testibus alii tamen citarentur: 'Aut hoc testium satis est, aut nescio quid satis sit,' sic a me satis datum est testium. Quid enim? te ipsum, dignissimum maioribus tuis, voluptasne induxit ut adulescentulus eriperes P. Sullae consulatum? Quem cum ad patrem tuum rettulisses, fortissimum virum, qualis ille vel consul vel civis cum semper, tum post consulatum fuit! Quo quidem auctore nos ipsi ea gessimus ut omnibus potius quam ipsis nobis consuluerimus. At quam pulcre dicere videbare, cum ex altera parte ponebas cumulatam aliquem plurimis et maximis voluptatibus nullo nec praesenti nec futuro dolore, ex altera autem cruciatibus maximis toto corpore nulla nec adiuncta nec sperata voluptate, et quaerebas, quis aut hoc miserior aut superiore illo beatior; deinde concludebas summum malum esse dolorem, summum bonum voluptatem!

XX. L. Thorius Balbus fuit, Lanuvinus quem meminisse tu non potes. Is ita vivebat ut nulla tam exquisita posset inveniri voluptas, qua non abundaret. Erat et cupidus voluptatum et

2 quidem: *quid est* B. 3 et: om. B. 3 A.: *aulus* ABP. 4 habitus: *habitus est* B. 4 consessori: *confessori* BP. 6 sit: om. B. 9 rettulisses: *retulisses* ABP. 10 cum semper, tum: *cum semper cum* B. 13 cumulatam: *aliquem cumulatam* B. 15 adiuncta: *adiuncto* A¹. 16 miserior: *miseriorum* B. 17 beatior: *beatiorum* B; *beatior foret* dett. 19 L.: *lucius* AB. 20 posset inveniri voluptas: *voluptas posset inveniri* B.

1. tres aliqui: 'numerus non definitus significatur' (Madvig). See Reisig-Haase, ed. Schmalz and Landgraf, n. 354. 1 Hen. IV, Act 2, Sc. 4, l. 114: 'I am not yet of Percy's mind, the Hotspur of the north; he that kills me *some* six or seven dozen of Scots at a breakfast, washes his hands, and says to his wife, "Fie upon this quiet life! I want work." "O my sweet Harry," says she, "how many hast thou killed to-day?" "Give my roan horse a drench," says he, and answers "*some* fourteen" an hour after.'

tres aut qu.: in Greek τρία καὶ τέτταρα, cf. Xen. An. 4, 7, το δύο καὶ τρία βήματα.

2. colligere: 'quote,' as in 1, 34.

3. tradat constringendam: 1, 47.

11. ea gessimus: i.e. the suppression of the conspiracy of Catiline.

14. futuro: adjectival, not participial; as the abl. abs. with the fut. part. is post-Ciceronian; Draeger, § 580.

17. beatior: as to the reading *foret* given after this in some mss., Madvig says that it occurs only once in Cicero, viz. in Att. 7, 21, 2; but Rep. 2, 24 must be added. Caes. has the word only once; in the well-known epigram on Terence. In the older and later Latin exx. abound; early *forem* has the force of *futurus essem*; later it becomes a substitute for *essem*. According to Kunze, Sallustiana, Leipzig, 1893, *forem* occurs (unattached to a participle) thirty-four times in Sallust and retains its future force in all but seven of these places.

19. L. Thorius Balbus: the name appears on a common coin, bearing the head of the Juno of Lanuvium with an inscription referring to her; Mommsen, Münzw. p. 569. Mommsen thinks the Thorius mentioned here was one who commanded under Metellus in Spain in the war against Sertorius and was killed

Ells.
Nov. 21. '25

Antonius
and Sulla
65 B.C.

ch

See Thoria
cameled the
north of
G. Gracchus

eius generis intellegens et copiosus, ita non superstitiosus ut illa plurima in sua patria sacrificia et fana contemneret, ita non timidus ad mortem, ut in acie sit ob rem publicam interfectus.

- 64 Cupiditates non Epicuri divisione finiebat, sed sua satietate. Habebat tamen rationem valetudinis: utebatur eis exercitia-
tionibus ut ad cenam et sitiens et esuriens veniret, eo cibo qui
et suavissimus esset et idem facillimus ad concoquendum, vino
et ad voluptatem, et ne noceret. Cetera illa adhibebat, quibus
demptis negat se Epicurus intellegere quid sit bonum. Aberat
omnis dolor, qui si adesset, nec molliter ferret et tamen medicis
plus quam philosophis uteretur. Color egregius, integra valetudo,
summa gratia, vita denique conferta voluptatum omnium varie-
tate. Hunc vos beatum; ratio quidem vestra sic cogit. At ego
quem huic anteponam non audeo dicere; dicet pro me ipsa virtus

5 habebat...valetudinis: habebat. tamen ratione valetudinis codd. 5 valetu-
dinis: valetudinis AP. 5 eis: his A; hys B. 6 cenam; cenam A; scenam B;
coenam P. 7 concoquendum: coquendum B. 12 vita: una B. 12 conferta
voluptatum: voluptatum conferta B. 12 omnium: omni E et cod. Morel.
13 cogit. At ego: cogitat ego codd.; corr. Th. Bentleius.

in battle there (Florus, 2, 10; Plut. Sert. 12, where, however, the name is Θω-
pύιος). A Thoria appears on a Lanuvine
inscr.; C.I.L. xiv, 2108.

1. eius generis: 'that line'; N.D. 1, 43
in eodem genere.

ita non s.: note on 2, 22.

2. patria: used here of the *municipium*. In Leg. 2, 5 Cicero applies the word to Arpinum, and on Atticus questioning the usage, says 'omnibus municipibus duas esse censeo patrias, unam naturae, alteram civitatis,' and 'alteram loci patriam, alteram iuris.' In Roman law, no one could be at once a Roman citizen and a citizen of a non-Roman community; Balb. 28; Caec. 100.

contemneret...sit interfectus: this is a good instance of the fact that 'sequence of tenses' is no mechanical operation in Latin, but that the tenses have their individual force. The imperfect carries with it at all times a notion of the *continuance* to some extent of the action of the verb, but it would be absurd to insist on this notion in the case of *interficio* by writing *interficeretur*.

3. timidus ad: so often in Cicero but Fam. 7, 17, 1 t. in with abl.

7. concoquendum: cf. N.D. 2, 24.

8. ne noceret: = *ita ut ne*. Cicero in these expressions sometimes drops *ita*,

as in Fat. 29, but nowhere else allows *ne* to stand alone, as *here*, nor does he use *ita ne* (in Livy, Hor., Quint., etc.); *ne* alone is found in Livy and Tacitus.

10. molliter ferret: i.e. *mollis animo*; cf. Off. 1, 71 in dolore mollis; but Cato m. 5 gerundum est molliter sapienti = aequo animo. Madvig has an interesting note on similar ambiguities in Latin; so *soluta somno* of the mind asleep, Div. 1, 128, 129, but *solutus somno* in Rep. 6, 29, 'awakened from sleep'; *ponere barbam* often for *deponere*, but in Ovid *capillos ponere* often of arranging the hair; *gratiam facere alicuius rei* in the double sense of releasing a person from a duty, and of permitting to him a privilege; *fugam facere* in Liv. 8, 9, 12, of the fugitives, but 21, 5, 16, of those who put them to flight. Many other illustrations might be given; e.g. Lucr. uses *motus dare* both of a thing which exhibits movement, being set in motion by something else, and of that which causes motion. Sometimes the same phrase may have exactly opposite senses, as *emancipatus*, see n. on Cato M. 38.

13. hunc vos beatum: a noteworthy instance of ellipse. But possibly *vos* is an error for *vis*; cf. § 75; also § 109.

sic: like *ita*, commonly for a pro-nominal accus.

an ideal
Epicurean

nec dubitabit isti vestro beato M. Regulum anteponere, quem quidem, cum sua voluntate, nulla vi coactus praeter fidem, quam dederat hosti, ex patria Carthaginem revertisset, tum ipsum, cum vigiliis et fame cruciaretur, clamat virtus beatiorem fuisse
 5 quam potantem in rosa Thorium. Bella magna gesserat, bis consul fuerat, triumpharat nec tamen sua illa superiora tam magna neque tam praeclara ducebat quam illum ultimum casum, quem propter fidem constantiamque susceperat, qui nobis miserabilis videtur audientibus, illi perpetienti erat voluptarius.
 10 Non enim hilaritate nec lascivia nec risu aut ioco, comite levitatis, saepe etiam tristes firmitate et constantia sunt beati. Stuprata 66 per vim Lucretia a regis filio testata civis se ipsa interemit. Hic dolor populi Romani duce et auctore Bruto causa civitati libertatis fuit, ob eiusque mulieris memoriam primo anno et vir
 15 et pater eius consul est factus. Tenuis L. Verginius unusque de multis sexagesimo anno post libertatem receptam virginem

- 2 voluntate: *voluptate* BE. 3 Carthaginem: *cartaginem* A; *Kartaginem* B.
 3 tum: *eum* AB cod. Morel. 4 fuisse: *esse* B. 5 rosa Thorium: *rosa. Thorius* AB.
 6 sua illa superiora: *ita* A; *illa sua superiora* B. 8 propter: *ita* B; *praeter* A Crat.
 9 voluptarius: *voluntarius* codd.; corr. P. Marsus. 10 hilaritate: *in largitate* A¹.
 10 nec lascivia: *ita* A; *et lascivia* B. 11 saepe: *ita* AB; *et saepe* E; *sed saepe* Madv.
 12 ipsa: *ita* A; *ipsam* B. 12 interemit: *interfecit* B.
 15 est factus: *factus est* B. 15 L.: *lucius* AB. 15 Verginius: *ita* AB.

1. M. Regulum: the story of Regulus' embassy and murder is incredible; see an excellent analysis of the evidence in Pauly-Wissowa, s. v. Atilius, No. 51.

3. ex patria revertisset: in the best prose, the dep. revertor is used in pres. and tenses connected; while in perf. and connected tenses the active is in use; but reversus occurs once in Cicero (Phil. 6, 10) and once in Caesar (B.G. 6, 42, 1). See Neue-Wagener III, 126 sq. After reverti, ex is commoner than ab.

4. clamat: § 51.

5. rosa: the collective sense is common; Tusc. 5, 73; Sen. ep. 36, 9; 122, 8; de ira 2, 25, 2; Prop. 1, 17, 22. So flos often, Prop. 5, 3, 57; tegula, Ov. A. A. 2, 622; porco haedo gallina, Cato m. 56.

9. voluptarius: 1, 37; 3, 35; 4, 31.

11. saepe, etc.: there is an inconcinnitas here which led Ernesti to conjecture hilares hilaritate, and Davies tristi firmitate. The words saepe etiam tristes are practically parenthetic; 'men are not made happy by merriment or wantonness, nor yet by laughter or jest; on the contrary (sed) they are made happy by staunchness and firmness,

and that oftentimes though they be in gloom.' For firmitas and constantia see note on 3, 50.

12. testata: i.e. through those to whom she told her story.

se ipsa: §§ 33, 53.

hic dolor: i.e. dolor huius rei: cf. 1, 63 ea scientia.

13. duce et auctore: the words are often combined, as in Mil. 39; Sest. 61 dux auctor actor illarum rerum.

14. et...et...est: Draeger § 101.

15. L. Verginius: but Decimus in Rep. 2, 63; see Pais, Storia di Roma, I, 451.

unus de multis: so Off. 1, 109; but Tusc. 1, 17 and Brut. 274 non fuit orator unus e multis; cf. Plin. ep. 1, 3, 2.

16. receptam: Key in his Dict. s. v. recipio asks what is the justification for the re here, and in Flor. 1, 44 (3, 9). Much the same justification as that for the use of reddere meaning not 'to give back' but 'to give what is due'; and in countless instances the re- in compound verbs has lost its original force. In Phil. 4, 7 est datum rei publicae Brutorum genus et nomen ad libertatem populi Romani vel constituendam vel reci-

filiam sua manu occidit potius quam ea Ap. Claudii libidini, qui tum erat *cum* summo imperio, dederetur.

- 67 XXI. Aut haec tibi, Torquate, sunt vituperanda, aut patrocini-
um voluptatis repudiandum. Quod autem patrocini-
um quae ista causa est voluptatis, quae nec testes ullos e claris viris 5
nec laudatores poterit adhibere? Vt enim nos ex annalium
monumentis testes excitamus eos quorum omnis vita consumpta
est in laboribus gloriosis, qui voluptatis nomen audire non possent,
sic in vestris disputationibus historia muta est. Numquam audi-
vi in Epicuri schola Lycurgum, Solonem, Miltiadem, Themistoclem, 10
Epaminondam nominari, qui in ore sunt ceterorum omnium
philosophorum. Nunc vero, quoniam haec nos etiam tractare

1 sua: suam AB. 1 potius: post A¹. 1 Ap.: P. AB. 2 tum: tamen B.
2 cum add. Iwan Müller: in add. Orell. 6 annalium: animalium BE. 7 monu-
mentis: monimentis AB. 8 qui: om. E. 10 Lycurgum: ligurgum A; lygurgum B.
10 Miltiadem: miliciadem A. 11 ceterorum omnium philosophorum: ita A; philoso-
phorum ceterorum omnium B; ceterorum philosophorum omnium E. 12 etiam: et B.

piendam, Cicero gives the verb its literal force. In the historical writers *recipere* often merely means 'to acquire' or 'to conquer.' Cf. Sen. ep. 50, 9 virtutes receptae ('when once acquired') exire non possunt; cf. Anton. ap. Cic. Att. 14, 13a, 2 repositum in optima spe puerum.

2. erat *cum* summo imperio: both in *imperio* esse and *cum* *imp.* esse are common, but *esse summo imperio* is more than dubious. In Fam. 8, 2, 1 (Caelius) the mss. give *esse maiore periculo*; in Fam. 4, 15, 2 proprio periculo esse; 6, 4, 4 quanto fuerim dolore; Att. 1, 12, 3 rem esse insigni infamia; Qu. Fr. 3, 2, 2, to which M. refers, is not parallel; Att. 5, 14, 2 e. magno timore; in Fam. 9, 21, 2 fuerunt sella curuli; Qu. Fr. 3, 4, 1 est tam gravi fama hoc iudicium. [C. F. W. Müller, Fam. p. xxix qu. Nipp. Opusc. p. 173 and Andresen; Madv. Adv. 2, 237 refers to Phil. 8, 18 esse magno alicuius beneficio and Fam. 7, 30, 3; esse odio magno in Verr. act. pr. 42. Madvig is commenting on Att. 9, 1, 4. His objection against *in summo imp.* is nothing, as we have in magno, tanto, etc.]

3. haec: generic, see note on 2, 17. Cf. 16.

4. quod...aut quae: see n. on Acad. 2, 32 for *aut* when a question is slightly changed.

6. laudatores: 'a iudiciorum consuetudine hoc nomen tractatum est... excitantur testes proprie cum surgere iubentur et prodire' (Madvig).

8. non possent: i.e. si (nomen voluptatis) ad eos perveniret; as Madvig ex-

plains. For *nomen rei audire non posse* he cites Rep. 2, 52; Liv. 33, 35, 3 (add ubi nec Pelopidarum nomen nec facta audiam, qu. in Fam. 7, 30, 1, and *videre non posse* in Pis. 64; Liv. 1, 26, 10; Sen. ad Helv. 9, 6; Plin. ep. 6, 8, 7). [For *voluptatis nomen* cf. Acad. 2, 138 invidiosum nomen voluptatis fugere; Acad. fr. 20, p. 89, 17 (ed. Müller)].

9. historia muta est: Acad. 2, 5 historiae loquantur; see illustrations in my note there, and add Off. 2, 3 litterae contigerunt.

10. schola: not uncommonly used of a 'school' of philosophy: De Orat. 1, 56.

11. nominari: as Usener says, p. 329 n. Cicero, in order to be quite correct, should have used *laudari*. Cf. Plut. n. p. s. vivi, c. 15, p. 1097 c ἀλλὰ τὴν ἀτοπίαν οὐδὲ βουλόμενόν ἐστι τοῦ ἀνθρώπου παρελθεῖν, τὰς μὲν Θεμιστοκλέους καὶ Μιλτιάδου πράξεις ὑπὸ πύδας τιθεμένων καὶ κατευτελίζοντας: id. Colot. c. 33, p. 1127 a τοὺς δὲ πολιτικούς ἀνδρας ἐπὶ γέλῳ καὶ καταλύσει τῆς δόξης ὀνομάζουσι μόνον (followed by contemptuous references to Epaminondas); ib. p. 1127 d τοὺς δὲ πρώτους καὶ σοφωτάτους τῶν νομοθετῶν κακῶς λέγοντες. Inscr. of Oinoanda (Heberdey and Kalinka in Bull. de Corr. xxi, p. 374) condemns στρατεία ἀσχαλὲρ, and ῥητορεύειν as full of σφονγμός and παραχῆ. As to the attitude of Epicurus to public life see Diog. L. 10, 119; Cic. Sest. 23.

12. haec: sc. philosophical writing; nos not Cicero but *Romani*, as is shown by *etiam*.

coepimus, suppedabit nobis Atticus noster e thesauris suis quos et quantos viros! Nonne melius est de his aliquid quam 68 tantis voluminibus de Themista loqui? Sint ista Graecorum; quamquam ab eis philosophiam et omnes ingenuas disciplinas 5 habemus; sed tamen est aliquid quod nobis non liceat, liceat illis. Pugnant Stoici cum Peripateticis. Alteri negant quicquam esse bonum nisi quod honestum sit, alteri plurimum se et longe longeque plurimum tribuere honestati, sed tamen et in corpore et extra esse quaedam bona. Et certamen honestum et 10 disputatio splendida! Omnis est enim de virtutis dignitate contentio. At cum tuis cum disseras, multa sunt audienda etiam

1 suppedabit: *suppeditat* B. 1 e: ita AB: *et* E. 3 loqui? *loquitur* B.
4 eis: *his* AB. 10 est: om. B. 11 tuis: *tu vis* B. 11 cum: ita A²; *tu* A².
11 disseras: *desideras* B.

1. thesauris: here 'stores of learning' but in Att. 15, 27, 2 excudam Ἡρακλέδου quod lateat in thesauris tuis, merely 'stores of books.' There are many allusions in Cicero's letters to the knowledge Atticus possessed of history and biography; cf. esp. Att. 16, 13 c, 2 ardeo studio historiae... quae nec institui nec effici potest sine tua ope (followed by a request for some historical details). Madvig (see also Boot on Att.) thinks that Cicero may be hinting at the history written by Atticus; but the word *thesauri* would hardly be applied to it.

2. quos et quantos viros: Madvig illustrates from Leg. 3, 20; Div. 1, 52; Plin. ep. 5, 15, 5.

3. tantis vol.: cf. τηλικαῦτα βιβλία in Epict. qu. in note on 1, 25. For Epicurus, as a voluminous writer, compared with Livy cf. Sen. ep. 46, 1; Verr. 2, 1, 97 volumen eius rerum gestarum maximum. But Madvig truly remarks 'tanta illa volumina nonnihil habent ex oratoria superlacione.' One would have expected either the common *tot et tantis* or *totis* as in N.D. 1, 93 Timocraten totis voluminibus conciderit (sc. Epicurus, about whom the context is), or *tot* as in Acad. fr. 1 quid Antipater digladiatur cum Carneade tot voluminibus? Themista was wife of Leonteus of Lampsacus, one of the intimates of Epicurus. For information about her see Usener's index s. v. Apart from the present passage, tradition has preserved mention of only one book addressed to her by Epicurus, and of some letters from him to her. Laetant. 3, 25, 15 makes a strangely erroneous remark about her: 'nullas umquam mulieres philosophari docue-

runt praeter unam ex omni memoria Themisten.'

sint ista Graecorum: cf. § 80 sit ista in Graecorum levitate perversitas.

5. non liceat, liceat: the artifice of style much as in § 30, where see note (appellavit). Cf. also below 5, 95 (possit).

8. longe longeque: Wölfflin, in his paper on 'Geminatio' in Latin (in the Sitzungsber. of the Kön. Bayr. Acad. for 1882, pp. 422-91), quotes this passage as the earliest ex. of the doubling of an adverb, which became pretty common afterwards (without *que*) as *vero vero*, Petron. 75; *modo modo*, ib. 42, 46. Hor. s. 1, 6, 18 has *longe longeque*, for which Cicero writes below (§ 111) *longe multumque*. Lungolungoin Italian. Wölfflin gives as the only classical exx. of the doubling of adjectives Plaut. Cas. 621 tota tota occidi; and Hor. s. 2, 7, 92 liber liber sum. [Cf. Enn. 341 Baehr. atque atque accedit muros Romana iuventus, qu. by Gell. 10, 29, 1 with the caution 'nisi memoria in hoc versu labor'; Non. 530, 3 gets it from Gell.]

11. cum disseras: from the time of Ursinus the subj. has been found to be difficult. 'Vereor ne mendum hic haebeat; neque enim coniunctivi ulla videtur ratio esse, quoniam post *tuis* secunda persona de incerto subiecto accipi nequit, nisi forte in certo subiecto eadem tamen significatio est rei tantum fictae et cogitatae, sed tum *sint* sequi debebat' (Madvig). On the other hand, C. F. W. Müller declares that if the indicative had occurred in the mss. he would have regarded it with as much suspicion as Madvig did the subjunctive. If Madvig argues that *tuis* makes the indefinite

de obscenis voluptatibus, de quibus ab Epicuro saepissime
 69 dicitur. Non potes ergo ista tueri, Torquate, mihi crede, si te
 ipse et tuas cogitationes et studia perspexeris; pudebit te, in-
 quam, illius tabulae, quam Cleanthes sane commode verbis
 depingere solebat. Iubebat eos, qui audiebant, secum ipsos 5
 cogitare pictam in tabula Voluptatem pulcherrimo vestitu et
 ornatu regali in solio sedentem, praesto esse Virtutes ut ancillulas
 quae nihil aliud agerent, nullum suum officium ducerent nisi ut
 Voluptati ministrarent et eam tantum ad aurem admonerent,
 si modo id pictura intellegi posset, ut caveret ne quid faceret 10
 imprudens, quod offenderet animos hominum, aut quicquam e
 quo oriretur aliquis dolor. 'Nos quidem Virtutes sic natae sumus,
 ut tibi serviremus, aliud negoti nihil habemus.'

1 de (ante quibus): om. AB. 2 dicitur: dici E. 2 ergo: igitur B. 5 depingere:
 ita codd. meliores: pingere dett. (ita P). 7 ut: ac B. 9 ministrarent: ministraret
 BE. 11 quicquam: quicquid B. 12 dolor: dolorum BE. 13 negoti nihil:
 negotium nihil A; negocium non BE.

subject to *disseras* impossible, Müller contends that no other subject could be imagined: 'an a Torquato potissimum vel potius solo putamus disseri cum suis velle Ciceronem? Immo quisquis disserat cum Epicureis, ei audienda esse multa de obscenis voluptatibus.' Müller seems to be right and the subj. is of the type (specially common in Cicero) which we find, e.g. below 4, 74 cum...accesseris. In *cum*-clauses of this kind particularly when, as here, they precede the correlated clause, the idea has come to be practically iterative (as Hale, 'Cum-constructions,' p. 240, seems to feel), though it may not have been so originally. See e.g. Brut. 143; Riem. Synt. p. 331 n. 2.

1. obscenis: see notes on §§ 23, 29; and cf. N.D. 1, 111 obscenis voluptatibus quas quidem non erubescens persequitur (Epicurus) omnis nominatim; Tusc. 5, 94 obscenas voluptates, de quibus multa ab illis habetur oratio.

2. non potes...si perspexeris: Draeger, 11², p. 713.

mihi crede: Schmalz has shown (Zeitschrift für d. Gymnasialwesen, 1881, p. 115) that in the language of every-day life *crede mihi* was the usual phrase, while in the more formal departments of literature *mihi crede* was preferred. In Cicero's speeches and philosophical writings the latter is alone used; the former occurs once in the letters Ad Fam.; and several times in those to Atticus. [According to Georges the passages from Cicero are all collected in Mahne's Miscellen, 1, 41.] But *credite*

hoc mihi in Verr. 4. 133 seems to show that *crede mihi* was avoided because of dactylic rhythm.

4. tabulae: this occurred in a treatise περὶ ἡδονῆς, and was famous in ancient times. See Off. 3, 117; Aug. c. d. 5, 20. Another such picture, possibly from the same source, is found in Tusc. 5, 13, 14. The *tabula* of Cebes is an imitation.

5. depingere: pingere has poor authority (see cr. n.) but would not in itself be impossible here, as Madvig supposes; the mention of the picture would justify it. The lexica give exx. of the simple verb so used.

7. ancillulas: above, § 37; Athen. 12, 546 f σαφῶς ὑπουργὸν ποιών ('Επίκουρος) ἐν τοῦτοις τὴν ἀρετὴν τῆς ἡδονῆς καὶ θεραπαινὸς τάξιν ἐπέχουσιν: Sen. dial. 7, 13, 5 virtus antecedit, comitetur voluptas et circa corpus ut umbra versetur: virtutem quidem excelsissimam omnium, voluptati tradere ancillam nihil magnum animo capientis est; d. 7, 11, 2; 7, 13, 5; id. ben. 4, 2, 1 Epicureorum... apud quos virtus voluptatum ministra est: illis paret, illis deservit, illas supra se videt; Ad Herenn. 4, 20 si voles divitias cum virtute comparare, vix satis idoneae tibi videbuntur divitiae quae virtutis pedisequae sint; Sen. ep. 90, 35 illa philosophia quae virtutem donavit voluptati; dial. 3, 10, 2 virtutes in clientelam vitiorum demittere.

9. ad aurem admonere: also often in. For ad cf. Ter. Phorm. 1030; Virg. Aen. 5, 527; Sen. ben. 2, 23, 2.

10. si modo...posset: 'Cleanthis hanc

XXII. At negat Epicurus (hoc enim vestrum lumen est) 70
 quemquam, qui honeste non vivat, iucunde posse vivere; quasi
 ego id curem quid ille aiat aut neget. Illud quaero, quid ei, qui
 in voluptate summum bonum ponat, consentaneum sit dicere.
 5 Quid affers, cur Thorius, cur †Chius Postumius, cur omnium
 horum magister, Orata, non iucundissime vixerit? Ipse negat,
 ut ante dixi, luxuriosorum vitam reprehendendam nisi plane
 fatui sint, id est nisi aut cupiant aut metuant. Quarum ambarum
 rerum cum medicinam pollicetur, luxuriae licentiam pollicetur.
 10 His enim rebus detractis negat se reperire in asotorum vita quod
 reprehendat. Non igitur potestis voluptate omnia dirigentes aut 71
 tueri aut retinere virtutem. Nam nec vir bonus ac iustus haberi
 debet, qui, ne malum habeat, abstinet se ab iniuria. Nosti, credo,
 illud:

15 Nemo pius est, qui pietatem—;

cave putes quicquam esse verius. Nec enim, dum metuit, iustus
 est, et certe, si metuere destiterit, non erit; non metuet autem,
 sive celare potuerit, sive opibus magnis, quicquid fecerit, obtinere,

1 negat Epicurus: *epicurus negat* B. 2 quasi...neget: affert Nonius, p. 70.
 3 quid: *quod* Nonius. 3 aiat: *aiat* ABE. 3 qui in voluptate: *qui voluptatē* B.
 4 ponat: ita ABE; *putat* codd. multi. 5 cur Chius: *cur chiūs* A Crat. cod. Morel.
 E; *curehius* B; *cur C. Hirrius* Scaliger. 5 Postumius: *postumus* BE. 8 id est:
idē B; *idem* E. 9 cum medicinam: *medicinam cum* E; *cum* om. B. 12 nec:
nisi B. 15 pietatem: *pietate* E. 17 destiterit: *desistit* A; *desistere* B. 18 potu-
 erit: ita B; *poterit* A. Cf. n. ad 1, 70.

esse cautionem, satis verbi modus et
 tempus admonet' (Madvig).

1. **lumen**: 'strong point'; so Acad.
 2, 107 illa sunt lumina duo, quae
 causam continent; see my n. there.
 The application to persons ('shining
 light') is akin, as in Qu. fr. 2, 8, 3 illorum
 praediorum scito mihi vicinum Marium
 lumen esse; Mil. 21; Phil. 5, 39. Vell.
 Pat. 2, 52, 3 collisa inter se duo rei
 publicae capita effossumque alterum
 Romani imperi lumen.

4. **ponat**: for the reading *putat* see
 5, 20 n.

consentaneum, etc.: so below, §§ 80,
 84, 98; 5, 80; Off. 3, 117 non id
 spectandum est, quid dicat (Epicurus)
 sed quid consentaneum sit ei dicere qui
 bona voluptate terminaverit, mala
 dolore.

5. **quid affers, cur...vixerit**: for the
 brevity here cf. 1, 14 n.

Chius Postumius: many older scho-

lars from Scaliger onwards read here
 C. Hirrius Postumius or (C. Hirrus P.),
 regarding the man as the same with C.
 Hirrius mentioned by Varro r. r. 3, 17, 3
 and Plin. n. h. 9, 171, as the first to use
 fishponds for breeding *muraenae*. But
 Varro and Pliny give no *cognomen*, and
Postumius is *nomen* not *cognomen*;
 moreover, *omnium horum*, which (as M.
 notes) can hardly be generic here, re-
 quires the mention of more than two
 persons. G. **Sergius Orata** (contem-
 porary with L. Crassus the orator) is often
 mentioned for his luxury.

7. **nisi plane fatui sint**: somewhat
 of a perversion of Epicurus; see § 21.

12. **tueri...retinere**: cf. n. on 1, 6 and
 cf. 2, 11.

nec...: for the slight anacoluthon see
 n. on 1, 23 and Madv. Fin. p. 792 f. (ed. 3).

15. **nemo**, etc.: the passage is quoted
 only here.

18. **opibus magnis**: see 1, 52 n.

certeque malet existimari bonus vir, ut non sit, quam esse, ut non putetur. Ita, quod certissimum est, pro vera certaue iustitia simulationem nobis iustitiae traditis praecipitisque quodam modo ut nostram stabilem conscientiam contemnamus, aliorum errantem
 72 opinionem aucupemur. Quae dici eadem de ceteris virtutibus 5 possunt, quarum omnium fundamenta vos in voluptate tamquam in aqua ponitis. Quid enim? Fortemne possumus dicere eundem illum Torquatum?—delector enim, quamquam te non possum, ut ais, corrumpere, delector, inquam, et familia vestra et nomine. Et hercule mihi vir optimus nostrique amantissimus, A. Torquatus, 10 versatur ante oculos, cuius quantum studium et quam insigne fuerit erga me temporibus illis, quae nota sunt omnibus, scire necesse est utrumque vestrum; quae mihi ipsi, qui volo et esse et haberi gratus, grata non essent, nisi eum perspicerem mea causa mihi amicum fuisse, non sua, nisi hoc dicis sua, quod 15 interest omnium recte facere. Si id dicis, vicimus. Id enim

1 malet: *mallet* ABE cod. Morel.; *malle* Crat.

Morel.; *vir bonus* B.

2 certissimum: *turpissimum* Th. Bentleius; alii multa alia coniecerunt.

10 A: *aulius* A; *aulus* B.

11 et quam: *et tam* B; *fuerit et tam* E.

1 bonus vir: ita A et cod.

2 certissimum: *turpissimum* Th. Bentleius; alii multa alia coniecerunt.

7 fortemne: *fortem* non E.

10 nostrique: *nostri* Q (sic) E

11 et quam: *et tam* B; *fuerit et tam* E.

1. **bonus vir**: a distinction of meaning has been drawn between *vir bonus* and *bonus vir* (as by Kühner, Gram. 2, p. 1070), but an examination of a sufficient number of passages shows that none such exists. See Wilkins on De Or. 2, 85.

ut non: Draeger, 11², p. 761.

2. **certissimum**: *certitissimum* (Haupt) is not Ciceronian; Att. 8, 5, 1, and 15, 21, 2 are conjectures. *Turpissimum* (Th. Benth.) is a possible correction, for our mss. confuse *p* and *t* in places, and this confusion would be helped out by the similarity in many mss. between *t* and *c*.

iustitia...iustitiae: see n. on 1, 56; germana iustitia Off. 3, 69.

3. **quodam modo**: a slight apology for the strength of the expressions; see 3, 48.

5. **opinionem**: this by way of turning the tables on the Epicureans, who blamed the lovers of τὸ καλὸν for hunting after what is *populari fama gloriosum* (2, 48).

aucupemur: Leg. 3, 35 homine... omnis rumusculos populari ratione aucupante; Pis. 57 levitatis est inanem aucupari rumorem et omnis umbras etiam falsae gloriae consecrari.

quae dici eadem: cf. § 106 and 3, 12; 3, 50 haec eadem; 4, 19 ea quae tributa est tanta praestantia.

7. **in aqua**: 'to write in water' was a

common proverb even in ancient times; see Otto in Archiv 4, 22; Sprichwörter, p. 31.

10. **A. Torquatus**: probably the A. Torquatus named in Att. 9, 8, 1 de L. Torquato quod quaeris, non modo Lucius sed etiam Aulus profectus est † alter multos (read *ante multo*). He was very likely the *quaesitor* in the case of Milo and praetor in 52 B.C. After the defeat of Pompeius he lived in exile at Athens, where Cicero addressed to him the letters in Fam. 6, 1-4. His relationship with the Torquatus of the dialogue cannot be made out. Had he been *frater* or even *frater patruelis* (as has been supposed) or indeed any near relative, Cicero could hardly have avoided mentioning the fact here.

12. **temporibus illis**: in Fam. 6, 1, 7 Cicero says to him 'ego habeo cui plus quam tibi debeam neminem.'

13. **qui volo**: for the ind. where subj. might have been expected see 1, 10.

14. **gratus, grata**: for the double sense cf. Fam. 5, 11, 1.

15. **hoc dicis sua**; exactly the converse of the ground taken by Torquatus.

16. **interest...facere**: 'that right action rewards everybody.' The argument would have been clearer if *sua vi*, or something of the kind, had been inserted.

volumus, id contendimus, ut officii fructus sit ipsum officium. Hoc 73
ille tuus non volt omnibusque ex rebus voluptatem quasi
mercedem exigit. Sed ad illum redeo. Si voluptatis causa cum
Gallo apud Anienem depugnavit provocatus et ex eius spoliis
5 sibi et torquem et cognomen induit ullam aliam ob causam, nisi
quod ei talia facta digna viro videbantur, fortem non puto. Iam
si pudor, si modestia, si pudicitia, si uno verbo temperantia
poenae aut infamiae metu coërcebuntur, non sanctitate sua se
tuebuntur, quod adulterium, quod stuprum, quae libido non se
10 proripiet ac proiciet aut occultatione proposita aut impunitate
aut licentia? Quid? illud, Torquate, quale tandem videtur, te 74

2 voluptatem: om. B. 4 eius: om. A¹. 5 ullam: ita ed. Veneta a. 1480;
nullam codd. 7 pudor: ita AB; *pudor est* E. 8 poenae: om. B. 11 aut
licentia: ac *licentia* Lambinus, fort. recte. 11 quid: quod B.

1. ut...sit: brief for *ut doceamus esse*;
see I, 14 n.

ipsum officium: cf. Fam. 3, 13, 2
mihi propono fructum amicitiae nostrae
ipsam amicitiam. There is practically
little difference between this position
and that of the Epicureans. Both
positions assume that the virtuous act
is rewarded by the peace of mind which
it brings. Rep. 6, 8 sapientibus con-
scientia ipsa factorum egregiorum am-
plissimum virtutis est praemium.

3. sed...redeo: similar resumptive
clauses in Tusc. 1, 38 sed redeo ad an-
tiquos; De Or. 2, 62 sed illuc redeo;
Lael. §§ 1, 75, 96; Cato m. 32, etc.

5. sibi...induit: I, 23 n.; cf. Liv. 9,
18, 2 novi...ingenii, quod sibi victor
(Alexander) induerat; ib. 6, 18, 14 me
patronum profiteor plebis quod mihi
cura mea et fides cognomen induit.

7. si...coërcebuntur: here what would
naturally be said of the virtuous man,
that he is restrained from evil, is said of
the virtues themselves; though as soon
as the person is lost sight of, it should
have been said of the vices. In Fried-
länder's edition of Juven. 2, 39 is an
admirable note contributed by C. F. W.
Müller, illustrating irregularity of the
kind, for which he uses the old, but not
altogether suitable name, 'res pro rei de-
fectu'; so artes reprehenduntur, Planc.
62; Att. 1, 5, 3 de litterarum missione ac-
cusor (where some have wished to read
intermissione); somnus, 'want of sleep,'
Plaut. Curc. 215 and Liv. 27, 47, 9;
Fam. 2, 1, 1 officium accusatur. Cael.
6 quod obiectum est de pudicitia.
Pudor and *pudicitia* often occur to-
gether, as in Leg. 1, 50; Verr. 2, 5, 34;

Phil. 2, 15. *Modestia* is properly 'order-
liness,' the 'law-abiding' spirit mani-
fested by a man towards others in
public or private affairs; Off. 1, 142 the
word is used to render *eûραξία*. *Tem-
perantia* is wider, and the nearest
equivalent to *σωφροσύνη*: cf. Tusc. 3, 16
σωφροσύνη...quam soleo tum tempe-
rantiam, tum moderationem appellare,
non numquam etiam modestiam; the
wording shows that *modestia* is regarded
as the least satisfactory rendering of
the three. As to *coërcebuntur* Madvig
says: 'annotandum verbum plurale non
solum post anaphoram coniunctionis in
subiectis sed etiam post subiecta aper-
tissime (*uno verbo*) in unam postremam
notionem collecta et conflata.' Even
subjects separated by *nec...nec, vel...
vel* (Mil. 13), *aut...aut*, occasionally take
a plural verb; Draeger, § 105.

9. quod ad.: as Madvig notes, the
change to *quo* is not needed; *se proicere*
and the like often occur absolutely used
(of persons).

11. aut lic.: as reasons favourable to
ac l. Madvig notes (1) the fact that the
last two words are more akin to one
another than they are to *occultatione*;
(2) that in § 71 there were two things
(*celare* and *magnis opibus obtinere*) not
three—a rather weak argument; (3)
that the second *aut* could not in the case
of three substantives be employed to
indicate a new subdivision, as in Sest. 24
si parvo puero aut si imbecillo seni aut
debili; and often; (4) that if that were
possible, it would not be lucid here. But
in the case of repeated *et* Cicero often
puts things on a level when he might
have grouped some together, over

isto nomine, ingenio, gloria, quae facis, quae cogitas, quae contendis, quo referas, cuius rei causa perficere quae conaris, velis, quid optimum denique in vita iudices, non audere in conventu dicere? Quid enim mereri velis, iam cum magistratum inieris et in contionem ascenderis (est enim tibi edicendum quae 5 sis observaturus in iure dicendo, et fortasse etiam, si tibi erit visum, aliquid de maioribus tuis et de te ipso dices more maiorum), quid merearis igitur, ut dicas te in eo magistratu omnia voluptatis causa facturum esse, teque nihil fecisse in vita nisi voluptatis causa? An me, inquis, tam amentem putas, ut apud imperitos 10 isto modo loquar? At tu eadem ista dic in iudicio aut, si coronam times, dic in senatu. Numquam facies. Cur, nisi quod turpis oratio est? Mene ergo et Triarium dignos existimas apud quos turpiter loquare?

4 mereri: *merere* B. 5 contionem: *contencionem* B. 7 dices: *dicas te* AB.
 12 quod: *om.* B. 13 existimas: *ita* B; *existimes* A. 13 quos: *quod* B.
 14 loquare. Verum esto: *loquare verum.* esto A; *loquere verum* esto BE.

against one of them; thus, e.g. Acad. 2, 53 interesse inter vigilantium visa et sanorum et sobriorum et eorum qui essent aliter affecti; where grouping might be (and is elsewhere in similar passages) effected by leaving out *et* in the two first places; cf. Off. 2, 22 and 1, 139; so Cael. 45 inerat...ratio et bonis artibus instituta et cura et vigiliis elaborata (ac vig. Klotz); Sest. 31 ne quis...miretur, quid haec mea oratio tam longa aut tam alte repetita aut quid ad P. Sesti causam...delicta pertineant; ib. 100 viam aut asperam atque arduam aut plenam esse periculorum aut insidiarum; Pis. 22 quasi aliquod Lapitharum aut Centaurorum convivium; Phil. 3, 6 quam potuit urbem eligere aut opportuniorem ad res gerendas aut fidiorem aut fortiorum viro- rum aut amiciorum rei publicae civium? Leg. agr. 2, 67 quod solum tam exile aut macrum est...? Flacc. 24 utrum hic tandem disceptionem et cognitionem veritatis an innocentiae labem aliquam aut ruinam fore putatis? Har. resp. 54 aut universus interitus aut victoris dominatus aut regnum.

illud...quale v.: so below § 104; Acad. 2, 115 hoc...quale est; etc.

3. in conventu: cf. 4, 22; 5, 85 and Acad. 2, 144 with my note.

4. mereri: N.D. 1, 67 quid mereas ut Epicureus esse desinas? The use is not uncommon elsewhere.

5. in contionem ascenderis: = in

rostra in cont. asc.; cf. Macrobr. 2, 3, 6 Caninius quoque Rebilus...rostra cum ascendisset, pariter honorem iniiit consulatus et eieravit. The assumed date of the dialogue is at the time when Torquatus had reached the praetorship (urban) but had not yet entered on office.

edicendum: the new praetor would explain in his speech any points in his intended administration of the law which were novel, and embodied in his edition of the 'edict.' Publication was usually first made from the *rostra*; cf. Sctum de Bacchanalibus, *ut ei in conventionid exdeicatis* (but ne minus trinum nundinum there seems to indicate written publication); cf. Off. 3, 80.

6. et...etiam: Acad. 1, 5 with my n.

7. de maioribus: Suet. Tib. 32 praetorem conlaudavit quod honore into consuetudinem antiquam retulisset de maioribus suis memorandi. Madvig curiously writes 'non memini alibi tradi praetorem in contione edixisse et edicto orationem addidisse.'

8. igitur: n. on 1, 4; cf. 2, 23.

12. nisi quod: 'aut sic quaeritur: Quam aliam causam habes nisi hanc? id est: nisi quod, aut sic: Quam causam (omnino) habes, si hanc non habes? id est: si turpis oratio non est; tertium illud: Quam causam habes, nisi—est? interrogationi ad negationem inclinanti exceptionem similem adiungere vide-

XXIII. Verum esto: verbum ipsum voluptatis non habet 75
dignitatem, nec nos fortasse intellegimus. Hoc enim identidem
dicitis, non intellegere nos quam dicatis voluptatem. Rem
videlicet difficilem et obscuram! 'Individua' cum dicitis et
5 'intermundia,' quae nec sunt ulla nec possunt esse, intellegimus;
voluptas, quae passeribus nota est omnibus, a nobis intellegi
non potest? Quid si efficio ut fateare me non modo quid sit
voluptas scire (est enim iucundus motus in sensu), sed etiam
quid eam tu velis esse? Tum enim eam ipsam vis, quam modo
10 ego dixi, et nomen imponis, in motu ut sit et faciat aliquam

3 voluptatem: *voluptatis* B. 4 videlicet: *vides* codd.; corr. Manutius. 4 cum
dicitis: om. cod. Morel. 6 nota est omnibus: ita A; *omnibus nota est* B.
7 ut: om. B. 7 me: *ne* BE. 8 scire: *sciretur* B. 9 eam tu velis: ita A;
velis tu eam B. 10 ego dixi: *dixi ego* BE. 10 imponis: *iam ponis* B.

tur, ac si dicas *nisi forte*, quod hinc
alienum est' (Madvig). Cf. § 102.

1. **verum esto:** so § 92 and often;
verum is conjunction, not adjective;
hence correct my n. on Acad. 2, 10. *esto*
is sometimes followed by concessive
subjunctive, as there, sometimes by
indicative, as here.

verbum ipsum: i.e. without the gloss
which the Epicureans put upon it.

3. **rem ... obscuram:** appositional
phrases (where the apposition is to a
whole sentence and clause, and not to
a single word) in Cicero usually present
a substantive in the nominative case,
as above, § 1 *audax negotium*. Fam.
3, 12, 1 (*negotium*). Madvig thinks the
accus. occurs only here and De Or. 2, 79;
Orat. 52; Tusc. 1, 102 (all with *rem*).
But Phil. 2, 85 almost certainly supplies
another example: 'unde diadema? non
enim abiectum sustuleras sed attuleras
domo, meditatum et cogitatum scelus.'
Here the alternatives, to take *attuleras*
domo scelus together, or to put a full
stop at *domo*, are both unsatisfactory;
cf. Att. 13, 22, 2, where *rem* is probably
appositional, the mss. evidence for *o*
being weak. Probably also Tusc. 3, 49
negat Epicurus...negat...negat...: om-
nia philosopho digna, sed cum voluptate
pugnantia. The connexion of the accu-
sative in the appositional phrase with
that in the main part of the sentence
appears to be a matter of form, and not
one of meaning. Most wrongly Thomas
on Verr. 2, 2, 5 les appositions à toute
une proposition sont mises plus ordi-
nairement à l'accusatif (Draeger, § 309).
Dr. says the exact opposite. It is hard

to draw the line between apposition
and exclamation: Sen. d. 5, 19, 2
magnam rem at beginning of sentence
might be either. Here one might say,
with Madvig, that the sense is *rem*
videlicet difficilem nos non intellegere
dicitis; but in other passages, in order
to establish a connexion of meaning,
some editors have made the forced sup-
position that a verb *general in sense* is
to be supplied from the context to
govern the appositional accus. (Wil-
kins on De Or. 2, 79, Nipperdey on
Tac. Ann. 1, 27; Pro Clu. § 117 and Att.
13, 40, 1. Sallust and writers after him
use appositional phrases almost as
freely as the Greeks; see Draeger,
§ 309. [Cf. Quint. 1, 1, 10 cogitet ora-
torem institui, *rem arduam*; Vell. P.
2, 69, 6 Rhodum ceperat, *rem immanis*
operis; and on the other hand, Fam.
6, 4, 3 *relicum est ut te angat quod absis*
a tuis tam diu. Res molesta, etc.; Att. 14,
13, 2 *res odiosa*.] Ov. Her. 12, 99 donec
terriginae, facinus mirabile, fratres |
inter se strictas conseruere manus.

4. **individua:** n. on 1, 17.

5. **intermundia:** 'the lucid inter-
space 'twixt world and world'=*μετα-
κόσμου* in Epic. The same rendering in
N.D. 1, 18.

nec possunt esse: only the Epicu-
reans believed in *innumerales mundi*;
see above, 1, 21.

6. **passeribus:** quoted here like 'the
small gilded fly' in King Lear (4, 6, 114);
see Otto in Archiv 3, 393 (Sprichw.
p. 267); Erasmus, Adagia 1065 (Wytt.).

10. **nomen...in motu ut sit:** the peri-
phrasis is necessary as a single word is

varietatem, tum aliam quandam summam voluptatem, quo addi nihil possit; eam tum adesse, cum dolor omnis absit; eam
 76 stabilem appellas. Sit sane ista voluptas. Dic in quovis conventu te omnia facere, ne doleas. Si ne hoc quidem satis ample, satis honeste dici putas, dic te omnia et in isto magistratu et in omni 5 vita utilitatis tuae causa facturum, nihil nisi quod expediat, nihil denique nisi tua causa, quem clamorem contionis aut quam spem consulatus eius, qui tibi paratissimus est, futuram putas? Eamne rationem igitur sequere, qua tecum ipse et cum tuis utare,

1 quo: ita A; qua BE. 2 absit: assit B. 3 in quovis conventu: in quo conventu vis B. 4 si ne: sum E. 4 quidem: ita A; quid est BE. 7 tua: ita A; tui B. 8 putas: ita cod. Monacensis Madvigii; putes AB. 9 sequere: ita A; sequare B.

wanting to express the meaning. For *ut sit* after *nomen* cf. n. on I, 14 fin. and on 2, 13.

faciat...varietatem: I, 38.

1. quo addi: quo with *addere* also in Mur. 28.

3. stabilem appellas: *stabilis* does not actually occur in the exposition of Torquatus; see 2 § 32; § 16 in stabilitate.

sit...ista voluptas: pronominal attraction; 'be it granted that that state is really pleasure'; see I, 39.

4. ample: this and *amplissime*, also *amplus* and *amplissimus*, convey always in Cicero an idea of distinction, not merely that of extent; cf. Off. 2, 37 *ampla et honesta res*; Rep. 5, 8 *vita opibus firma, gloria ampla, virtute honesta*. The comparatives usually refer to extent, as *amplior metus*, Clu. 128; *numerus*, Verr. 2, 2, 124; but not quite always, as Marc. 26. There is a curious passage in Verr. 2, 2, 61 *iste amplam occasionem calumniae nactus*, where the good mss. authority is in favour of omitting the words *occasionem calumniae*; though C. F. W. Müller remarks 'vocab. *ampla* iam Ciceronis aetate in usu fuisse mirum videtur' (on *ampla* 'handle' see R. Schöll in Archiv I, 534 sq.). Cicero's usage is against the correctness of the reading of the inferior mss.; but probably *amplam* is a gloss on *ansam* which it has displaced. So Planc. 84 *reprehensionis ansam*; Caec. 17 *controversiarum*; I do not see why the mss. reading in Sest. 22 *sermonis ansas dabat*, should be wrong, though the gen. there is subjective.

7. tua causa: Publil. Syr. 350 (ed. B. Smith) *malus est vocandus qui sua causa est bonus*. It is doubtful whether

tui causa, etc. for *tua c.* etc. were used in Latin before the time of Apuleius. The *exx.* have almost disappeared with growing knowledge of the better class of mss. Wölfflin, in the course of an excellent paper in Archiv I, 172, quotes Plaut. Most. 597, having failed to notice that Studemund's earliest examination of the palimpsest (1868) had already disposed of the phrase *causa tui* by revealing the word *fenoris* in front of *causa*. Cicero probably no more said *nostri causa* than he said *sponte dei* or the like. C. F. W. Müller reads *sua causa* in Verr. 2, 3, 121, removing the last trace of the usage from the text of Cicero. But a few expressions such as *vestrum frequentia* in Leg. agr. 2, 55 seem to be sound; see Draeger, § 204. This usage most likely traces back to fixed phrases *omnium nostrum*, *vestrum*, the genitive being retained when *omnium* was dropped. Madvig says the passage from possessive pronoun to objective genitive was only made in Cicero in the case of nouns denoting an agent, as *accusator mei*; and he condemns as unsound the one passage in Cicero where a gen. now stands merely for a possessive, viz. Fam. 2, 6, 5 *tui unius studio*; the first hand of the Med. indeed has there *two*, in accordance with Cicero's practice elsewhere: 'nostrum' inquit 'peditum illud, milites, est opus,' Liv. 7, 33, 10.

7. quem...putas: 5, 61 n. The subjunctive *putes* is without reason here, as in Verr. I, 1, 40 *putetis* and Clu. 194 *putet*, given by all mss. and changed by editors.

9. sequere: fut.; cf. Acad. 2, 61 *tunc...eam philosophiam sequere quae confundit vera cum falsis*

profiteri et in medium proferre non audeas? At vero illa, quae Peripatetici, quae Stoici dicunt, semper tibi in ore sunt in iudiciis, in senatu. Officium, aequitatem, dignitatem, fidem, recta, honesta, digna imperio, digna populo Romano, omnia pericula 5 pro re publica, mori pro patria, haec cum loqueris, nos **barones**

3. **officium**, etc.: the accusatives all depend on *loqueris* and the phrases 'digna imperio,' 'digna populo Romano,' 'omnia pericula pro republica' and 'mori pro patria' are imagined as quotations. For *loqui aliquid*, 'to prate,' cf. 4, 7; Tusc. 5, 31; Cael. 75.

5. **barones**: this strange word occurs in Div. 2, 144 (addressed to an athlete by a seer to whom he had gone for the interpretation of a dream); Att. 5, 11, 6 apud Patronem (Epicurean philosopher!) et reliquos barones te in maxima gratia posui; Fam. 9, 26, 3 an tu id melius, qui etiam philosophum inriseris, cum ille, si quis quid quaereret (see n. on 1, 55), dixisset, cenam te quaerere a mane dixeris? Ille baro te putabat quaesitum, unum caelum esset an innumerabilia. In more than one of these passages, older edd. have oddly misinterpreted the word, but in all it has the same meaning, 'dolt,' 'dullard,' 'gobemouche,' 'heavy fellow.' Cic. ap. Gramm., de dubiis nomin. 5, 572, 17 ed. Keil (letter to Pansa), 4, 3, p. 298 ed. Müller. Festus twice quotes (328, 9) a line of Lucilius, 'varonum ac rupicum squarrosa incondita rostra,' where probably *baronum* should be written; and the same line is quoted by Tert. de an. 6 quid autem facient tot ac tantae animae rupicum et barbarorum, quibus alimenta sapientiae desunt? The change to *baronum* proposed by Pithou, is undoubtedly right. It is noteworthy that Lucilius is quoted by Lact. *à propos* of the stupidity of philosophers, and it may well be that the line had a similar reference in Lucilius. The word next occurs in Petronius 53 and 63 (*bis*); in the former place a rope-dancer is called *baro insulsissimus* and in the latter the name attaches to 'hominem Cappadocem, longum, valde audaculum, et qui valebat bovem iratum tollere.' And I have no doubt Petron. used the diminutive *barunculus* in 67, where Trimalchio draws attention to his wife's heavy jewellery and says 'videtis mulieris compedes: sic nos barunculi spoliatur' (edd. *barcalae*, for which no sensible explanation has ever been forthcoming). Cf. Corp. Gl. 4, p. 313, l. 17 *baruo*

barunculus; *latrunculus*, etc. Pers. 5, 138 has it in an address, meaning 'dolt'; on which passage a scholion runs, 'barones dicuntur servi militum, qui utique stultissimi sunt,' and Isid. orig. 9, 4, 31 gives a similar explanation: 'mercennarii sunt qui serviunt accepta mercede. Idem et barones Graeco nomine quod sint fortes in laboribus; βαρὺς enim dicitur gravis, quod est fortis.' Hence Stowasser in Archiv 2, 319, corrects Gloss. Ampl.³ 77 *baramercemarius*, into *baro. mercenarius*. [The word *berones* which occurs in Bell. Al. 53 applied to soldiers of a body-guard, and, formerly taken to be a variety of *barones*, is now derived from the name of a Spanish tribe.] *Baro* occurs in other glosses, sometimes being explained by *fortis* or *mercennarius*, sometimes by such words as *βάκηλος*. Also there is a word *barosus*, apparently a derivative, equated with *σοβαρὸς, βάναντος, βάκηλος* (Funck in Archiv 8, 372). Sometimes *baro* is glossed by *ἀνὴρ*, and throughout the Middle Ages this was the ordinary meaning. That the word was a camp-word originally there can be little doubt; like *latro, calo, volo, quaternio*, and other words of like formation. Many ideas have been held of its derivation; Nettleship on Pers. l. l. connects it with *barrus*, an elephant (Hor. ep. 12, 1). Celtic and Germanic analogues have also been discovered; but the occurrence of *baro* in Lucilius makes these conjectures improbable. It is not unlikely, I think, that Isidore is right in connecting *baro* and *βαρὺς*: the word, like *latro*, may have originated among the Greek mercenaries [cf. Fisch's derivation of *mirmillo* from *μορμύ*, Arch. 5, 78]. For the quantity (*bāro*) we have practically only the testimony of Lucilius (whom Persius doubtless copied), and he may have made free with the quantity; see n. on 2, 15. The connexion of *baro* and modern *baron* has been disputed; but the whole history of the word makes the connexion probable; this origin has no more indignity about it than that of 'marshal' or 'constable.' Fisch in Archiv 5, 56 sq. has an important article on personal substantives in -o;

* *whence Aldg. only: & de origine non habeo quod addam aliorum coniecturis*
Ehß: look up in Thesaurus.

77 stupemus, tu videlicet tecum ipse rides. Nam inter ista tam magnifica verba tamque praeclara non habet ullum voluptas locum, non modo illa, quam in motu esse dicitis, quam omnes urbani, rustici, omnes, inquam, qui Latine locuntur, voluptatem vocant, sed ne haec quidem stabilis, quam praeter vos nemo 5 appellat voluptatem.

XXIV. Vide igitur ne non debeas verbis nostris uti, sententiis tuis. Quod si voltum tibi, si incessum fingeres, quo gravior viderere, non esses tui similis; verba tuingas et ea dicas, quae non sentias? aut etiam, ut vestitum, sic sententiam habeas aliam 10 domesticam, aliam forensem, ut in fronte ostentatio sit, intus veritas occultetur? Vide, quaeso, rectumne sit. Mihi quidem eae verae videntur opiniones, quae honestae, quae laudabiles, quae gloriosae, quae in senatu, quae apud populum, quae in omni coetu concilioque profitendae sint, ne id non pudeat sentire 15

78 quod pudeat dicere. Amicitiae vero locus ubi esse potest aut quis

2 magnifica: *magnificata* B. 7 debeas: *dubites* cod. Morel. 8 fingeres: *fringeres* A. 9 esses: *esse* B. 10 ut: *sic* B; *sit* E. 12 quidem: *quid* BE. 13 eae: *hae* A; *et* BE. 15 non pudeat sentire: *pudeat non sentire* B; *pudeat ne sentire* E.

in his lists many camp-words are to be found. He inclines to *varo* as the original form and (comparing *Varro*) makes the first application to be to a man who from crookedness of leg or back was unfit for military service (but Meyer (ib. 5, 226) justly remarks that if *baro* comes from *varus* it cannot have arisen among Latin-speakers). This ignores a good deal of the information which we possess concerning actual usage. [F. strangely says, 'Ciceros Eitelkeit, auch von militärischen Dingen etwas verstehen zu wollen, spiegelt sich wieder im Gebrauche dieses Wortes'; where does this 'Eitelkeit' appear elsewhere?] Wölfflin has written about *baro* in Archiv 9, 14, also in Sitzungsber. d. k. bayr. Acad. 105 sq.; this last I have not seen. In Archiv 9, 466 there is notice of a paper by Riccoboni, 'Barone e vocaboli affini' in Atti del R. Istituto Veneto di Scienze, 1894-5. Carl Wagnier in Bursian, 1903, says Settegast, in Roman. Forschungen von Vollmöller, 1, 240, has made clear the connexion with 'baron.' He also refers to Wölfflin in Aufgaben des Thesaurus linguae Latinae, p. 105, and Heraeus, Die Sprache des Petronius u. die Glossen, pp. 11 sq.

3. omnes urbani: 2, 28. Cf. Sen. ep.

52, 12 impudicum incessus ostendit; ep. 66, 5 modestus incessus.

8. incessum fingeres: Off. 2, 43 ficto non modo sermone sed voltu; the actor is said in Leg. 3, 40 fingere voltus, of the audience; Clu. 72; Ter. haut. 5, 1, 14 (887) voltus quoque hominum fingit scelus; Sen. d. 9, 15, 5 frontem suam fingere; from another point of view De Or. 1, 127 ea quae nobis non possumus fingere, facies voltus sonus. There is much in ancient literature attesting the importance laid upon comeliness of movement; see especially Sen. ep. 66, 5, ib. 36 prudenter ambulare, composite sedere. Cf. Dio Chrys. 31, 162 and see *φρονίμη περιπάτησις* in passage quoted on 3, 55; prudens ambulatio, Sen. ep. 113, 22, where see reference to Chrysippus, etc.; Lucian, Herm. c. 18, gives as a reason for joining the Stoics: 'ἐώρων αὐτοὺς κοσμίως βαδίζοντας, ἀναβεβλημένους εὐσταλῶς.' Cf. C.I.L. 1, 1007 sermone lepido tum autem incessu commodo. See n. on 3, 55.

9. tu ingas: 'are you the man to...'; Acad. 2, 125 tunc inane quicquam putes esse? Phil. 7, 5 (a string of such sub-junctives).

11. fronte: Att. 4, 15, 7 fronte an mente.

13. quae...sint: § 15.

amicus esse cuiquam quem non ipsum amet propter ipsum? Quid autem est amare, e quo nomen ductum amicitiae est, nisi velle bonis aliquem affici quam maximis, etiam si ad se ex eis nihil redundet? Prodest, inquit, mihi eo esse animo. Immo
5 videri fortasse. Esse enim, nisi eris, non potes. Qui autem esse poteris nisi te amor ipse ceperit? quod non subducta utilitatis ratione effici solet, sed ipsum a se oritur et sua sponte nascitur. 'At enim sequor utilitatem.' Manebit ergo amicitia tam diu quam diu sequetur utilitas, et, si utilitas constituet amicitiam,
10 tollet eadem. Sed quid ages tandem, si utilitas ab amicitia, ut 79 fit saepe, defecerit? Relinquesne? quae ista amicitia est? Re-

3 ex eis nihil: *ex his nihil* A. 4 redundet Madv.: *redeunt et ABE*. 5 nisi eris, non potes: ita codd.: *nisi videris, non prodest* Graserus. 6 qui autem... solet: affert Nonius, p. 399. 6 poteris: *potes* Nonius. 6 subducta: ita Nonius; *subdubia* codd. Tulliani. 7 a: ita AB; *ad* E. 8 sequor utilitatem: *sequitur utilitas* coni. Graserus. 9 quam diu: om. A¹B. 9 constituet amicitiam: ita A; *amicitiam constituet* B. 10 ages: *agis* B. 11 relinquesne? quae ista: *relinques neque ista* A.

1. ipsum...propter ipsum: *propter* se avoided because of ambiguity.

2. amare...amicitiae est: so N.D. 1, 122 (also against the Epicureans).

3. ad se: 1, 67 n. sibi.

4. inquit: for this use ('quoth he!') without any definite subject, see my note on *dicat* in Acad. 2, 79. Cf. 1, 4 and below, § 93. The usage is widespread; it is particularly common in some Ecclesiastical writers, as Tertullian and Arnobius, who often add *inquit* to a quotation from Scripture (so sometimes 'saith he' in the N.T.). Cicero attaches *inquit* to a citation from a poet in Att. 14, 12, 2, where it has been unjustly questioned by many editors (including Tyrrell and Purser).

5. esse enim, nisi eris: this careless phrase seems to have actually fallen from Cicero's pen. The words *nisi eris* are protected by *qui autem esse poteris*; so that a correction like that of Graser (adopted by Baiter), *esse enim, nisi videris, non prodest*, is out of court; to say nothing of the poor sense which the emendation supplies. And there is no reasonable correction of the words *esse enim...non potes* which will make the sentence logical; moreover *esse enim* clearly refers to *videri* immediately preceding. E. Thomas, in *Revue de Philologie* VII, 169, proposed *prodesse...potest*; he should at least have gone a step further and changed *enim*.

6. subducta: n. on § 60.

7. solet: 'Cicero infirmavit nonnihil (conclusionem argumenti) in illis: *quod non solet* cet. Neque enim ex eo quod fieri solet, sed ex ipsa rei natura et repugnantia ducitur' (Madvig). Surely this criticism *nimis exigue atque exiliter ad calculos vocat* (Lael. 58) not only the writer but the Latin language.

a se oritur: a se and ex se are both possible; Tusc. 3, 37 (virtus) oriatur a se; Planc. 67 ego huc a me ortus et per me nixus ascendi; Cael. 19 si ipse oriatur et nascetur ex sese; Verr. 2, 5, 180 (of Cato) ipse sui generis initium ac nominis ab se gigni et propagari volebat; Phil. 6, 17 quem (Cicero himself) a se ortum hominibus nobilissimis praetulistis; Brut. 96 (of Pompey) homo per se cognitus, and so Cat. 1, 28; see other parallels in my note on Acad. 2, 23. The epitaph of a self-made man in C.I.L. 14, 173 qui in primis annis a se petens omnia ornamenta...; in Quint. 10, 3, 1 et haec quidem auxilia extrinsecus adhibentur; in eis autem quae nobis ipsis paranda sunt, the emendation of Gertz, *e nobis*, is very probable.

8. at...utilitatem: this adds nothing to *prodest* above. This use of *sequor*, 'I take as my guide'; 'I make my aim'; 'I am attracted by' is common, esp. in the letters; see Acad. 2, 70 with my n.

10. tollet: Lael. 32 si utilitas conglutinet amicitias, eadem mutata dissolveret; Arist. Eth. N. 8, 4, 2 οἱ δὲ διὰ τὸ χρήσιμον ὄντες φίλοι ἅμα τῷ συμφέροντι

timebis? qui convenit? quid enim de amicitia statueris utilitatis causa expetenda, vides. 'Ne in odium veniam, si amicum destitero tueri.' Primum cur ista res digna odio est, nisi quod est turpis? Quod si, ne quo incommodo afficiare, non relinques amicum, tamen, ne sine fructu alligatus sis, ut moriatur optabis. Quid, 5 si non modo utilitatem tibi nullam afferet, sed iacturae rei familiaris erunt faciundae, labores suscipiendi, adeundum vitae periculum? ne tum quidem te respicies et cogitabis sibi quemque natum esse et suis voluptatibus? *Vadem* te ad mortem tyranno dabis pro amico, ut Pythagoreus ille Siculo fecit tyranno? aut, 10 Pylades cum sis, dices te esse Oresten, ut moriare pro amico? aut, si esses Orestes, Pyladem refelleres, te indicares et, si id non probares, quo minus ambo una necaremini, non precarere?

2 veniam: *veniantur* B. 4 si, ne quo: *si ne quo* B, *si ne tuo* A Crat. 5 quid, si: *quod si* A. 7 erunt: *erit* E. 8 quidem: *quid est* B. 9 et: om. BE. 9 vadem te: *vadente* B. 11 Oresten: ita A; *Orestem* B. 12 si: om. E.

διαδύονται· οὐ γὰρ ἀλλήλων ἦσαν φίλοι, ἀλλὰ τοῦ-ἀναισθητοῦς.

2. *ne...tueri*: sc. *retinebis ne; odium*, sc. *civium*.

in odium veniam: substitute for passive; so too deponents: in opinionem, suspicionem venire.

3. *primum*: *no deinde* follows. Cf. 1, 17.

5. *alligatus*: here merely adjectival. Cf. *amissus*, Fam. 5, 16, 4.

7. *faciundae*: see Neue-Wagener III, 333.

8. *te respicies*: Fam. 10, 24, 8 (Planc.); Ter. haut. 1, 1, 18 (70).

9. *vadem ad mortem*: these words give support to *vadem mortis*, which phrase has been suspected in Tusc. 5, 63, where the story of Damon and Phintias is also told; see below, 5, 63 (Orestes and Pylades).

10. *Pythagoreus*: Off. 3, 45 Damonem et Phintiam Pythagoreos; for information concerning the story see Holden's note there.

tyranno: for *facere aliquid alicui* Madvig quotes Rosc. Com. 18; Verr. 2, 4, 49; dom. 124; Div. 2, 126; Sall. Cat. 55, 2; Jug. 85, 17; Nep. Paus. 3, 5; Ter. Andr. 1, 1, 85; Justin 22, 5, 3. [There is a much debated passage in Att. 7, 3, 2 si ista nobis cogitatio de triumpho iniecta non esset, quam tu quoque approbas, ne tu haud multum requireres illum virum qui in sexto libro informatus est; quid enim tibi faciam, qui illos libros devorasti? The allusion is to the sketch of the ideal statesman in the sixth book

of Cicero's De Republica. The words *quid tibi faciam?* have been often wrongly suspected, and often wrongly explained. They comically express the idea that Atticus, having studied closely the ideal statesman drawn by Cicero, must be expected to be a severe critic of Cicero's political conduct. The sense is 'there is no escape from you'; 'I am powerless against you,' literally, 'what line of action is open to me in reference to you?' The sense is the same in all other passages where *quid faciam* occurs with the dative or indeed with the ablative. Acad. 2, 96 quid faceret huic conclusioni? 'How was he to escape from this argument?' Caec. 30 quid huic tu homini facias? 'There's no way of dealing with this fellow.' Hor. s. 1, 1, 63 quid facias illi? Also Phil. 13, 37; Plaut. Pseud. 78 [see my n. on Acad. I.1.]. Sen. n. q. 7, 30, 3 neque enim omnia deus homini fecit (for benefit of man).

13. *precarere*: the change to *deprecare* (ed. Ven.) seems needless. Cicero has *quo minus* after verbs which do not express definitely an idea of hindrance not only when these verbs are negated, or virtually negated, as after *quid dici poterit* (below, 3, 38), *illud non perficies* (Fam. 3, 7, 6), *non pugnabo* (div. in Caec. 58), *nihil desideramus* (Att. 2, 4, 5), *ne consulerent* (Verr. 2, 3, 16)—but when there is no negative, as in *factum est* (Fam. 1, 4, 2), *praestare debebit* (Off. 1, 121). So in Caes. and other writers after *per me stat, movebatur*, etc.; see Draeger, § 542, 4. The

XXV. Faceres tu quidem, Torquate, haec omnia; nihil enim
 arbitror esse magna laude dignum quod te praetermissurum
 credam aut mortis aut doloris metu. Non quaeritur autem quid
 naturae tuae consentaneum sit sed quid disciplinae. Ratio ista
 5 quam defendis, praecepta quae didicisti, quae probas, funditus
 evertunt amicitiam, quamvis eam Epicurus, ut facit, in caelum
 efferat laudibus. At coluit ipse amicitias. Quis, quaeso, illum
 negat et bonum virum et comem et humanum fuisse? De in-
 genio eius in his disputationibus, non de moribus quaeritur. Sit
 10 ista in Graecorum levitate perversitas, qui maledictis insectantur
 eos, a quibus de veritate dissentiunt. Sed quamvis comis in
 amicis tuendis fuerit, tamen, si haec vera sunt (nihil enim
 affirmo), non satis acutus fuit. At multis se probavit. Et quidem
 81 iure fortasse, sed tamen non gravissimum est testimonium multi-

Russett

2 esse magna laude dignum: *magna laude dignum esse* B; *magna laude dignum esset* E. 3 quid: *ita* A; *quod* B. 4 quid: *quod* AB. 7 quaeso: *quasi* codd.: corr. Davies. 11 in amicis tuendis fuerit: *ita* A; *fuerit in amicis tuendis* B.

idea of hindrance or prevention on which *quo minus* depends, is often not present in the main verb of the principal clause but is to be gathered from the whole context. That *deprecari* was not a verb to which the notion of hindering closely attached itself is shown by the fact that neither in Cicero nor in any other writer of so early a date does it take the construction with *quo minus*, which is found in Liv. 3, 9, 10; Sen. ben. 3, 25.

2. arbitror...credam: slightly pleonastic. Cf. Verr. 2, 5, 22; Imp. P. 46; Ter. Ad. 236.

6. ut facit: similarly 4, 66 ut omnes insipientes sint miseri, quod profecto sunt. Many exx. of such parenthetic phrases in *Antibarbarus* (Krebs and Schmalz), s. v. *ut*.

8. comem: some of the secondary mss. have *commune* for *comem*, which was taken to be contracted; hence Madvig supposes that *comem* should be written for *communem* in Cato m. 59 *Cyrum...communem erga Lysandrum atque humanum fuisse*. Madvig says: '*alia est communitas quae in Laelio 65 postulatur, tum quae apud Suetonium in imperantibus cum se ceteris aequant laudatur.*' This is somewhat hypercritical: cf. Lael. l. l. simplicem et communem et consentientem (amicum) eligi par est; Mur. 66 quemquamne existimas Catone proavo tuo commodiorem communiorem moderatiorem fuisse

ad omnem rationem humanitatis? Fam. 4, 9, 2; Suet. Claud. 21, 5.

10. maledictis: though *male dicere alicui* is not uncommon in Cicero, and elsewhere, *bene dicere alicui* is rare in classical Latin. In *Antibarbarus* s. v. it is said to be only classical with the meaning 'to speak well of' a person (as in Ovid, Tr. 5, 9, 9); for *dicere aliquid alicui*, 'to say something with reference to a person,' cf. n. on 1, 7 Tarentinis scribere. The only ex. of *bene dicere* with dat. in Cicero is Sest. 110 cui bene dixit umquam bono? *Bene dicta*, where it occurs, corresponds to *bene dicere* used absolutely, not to *bene dicere alicui*. Cicero perhaps did not use *bene facere alicui*; for in *Inv. 1*; 109 the best mss. have *benigne*; and probably *male facere alicui* occurs only in Fam. 11, 21, 1; *bene facta* corresponds to *bene facere* without the dative; *male facta* is probably only found in a quotation from Ennius ap. Off. 2, 62, for in *Inv. 2*, 108 the word rests on doubtful authority (in *Deiot.* 36 the correct reading is *benigne*).

12. haec: 'my view.'

nihil...affirmo: 'parum apte, cum omnia hactenus *δογματικῶς* disputarit, subito intericit Academicæ dubitationis significationem' (Madvig). The words are indeed little in accord with § 43.

13. et quidem: 1, 35 n.

14. non gravissimum: § 44.

itudinis. In omni enim arte vel studio vel quavis scientia vel in ipsa virtute optimum quidque rarissimum est. Ac mihi quidem, quod et ipse bonus vir fuit et multi Epicurei et fuerunt et hodie sunt et in amicitiiis fideles et in omni vita constantes et graves nec voluptate sed officio consilia moderantes, hoc videtur maior vis honestatis et minor voluptatis. Ita enim vivunt quidam ut eorum vita refellatur oratio. Atque ut ceteri dicere existimantur melius quam facere, sic hi mihi videntur facere melius quam dicere.

82 XXVI. Sed haec nihil sane ad rem; illa videamus, quae a te de amicitia dicta sunt. E quibus unum mihi videbar ab ipso Epicuro dictum cognoscere, amicitiam a voluptate non posse divelli ob eamque rem colendam esse quod, cum sine ea tuto et

2 quidque: quodque B. 2 rarissimum: carissimum B. 3 et multi Epicurei: et multi et epicurei A. 3 et fuerunt: sunt fuerunt B; fuerunt A; corr. Lambinus. 4 amicitiiis: amicicia BE. 5 sed: se BE. 6 quidam: ita A¹B; quidem A². 10 a te: ad te A. 11 de amicitia: de amiciciis A. 11 videbar: ita A²B; videbatur A¹. 13 cum: om. codd.; addidit Madv.

1. in omni, etc.: Madvig's explanation of the omission of *vel* before *arte* and the introduction of *quavis* is somewhat obscure and unsatisfactory: 'nunc video *vel* hic cum correctione aliqua poni, ut ante primum nomen poni non debuerit. Nam cum *artem* dixisset, non *artem* nominandam fuisse significat, quod maius videatur, sed studium, etiamsi artis formam et dignitatem non attingat, vel omnino quamvis cuiusvis rei scientiam; tum in tertio *vel*, ubi addita praepositio significat hoc seiungi ab illa serie, ascendit oratio vel potius transfertur ad aliud, ut sit: *etiam in ipsa virtute*.' The drift of the sentence, in connexion with the preceding, is to show that competent judges are rare everywhere. The *vel* before *studio* merely dissociates it from *arte*, the words in *omni arte vel studio* going close together. Then *quavis scientia* widens and generalizes the preceding clause, for every *ars* and *studium* has its own form of *scientia*; 5, 26 omnium artium recte dici potest commune esse ut in aliqua scientia versentur; the *vel* before *in* means as Madvig says *etiam*, but there is no *translatio ad aliud*, *virtute* being connected with *scientia* as closely as are *arte* and *studio*. There is, of course, no reference to the specially Stoic doctrine whereby ἀρετή, ἐπιστήμη, τέχνη were equated.

2. optimum...rarissimum: so 'omni

praeclara rara,' Lael. 79; χαλεπὰ τὰ καλὰ, etc.

ac mihi quidem: § 34 n., 85 n.

4. et graves: the *et* here would have been *ac* but for the guttural following; see my note on Acad. 2, 34.

6. ita vivunt, etc.: Arist. Eth. N. 10, 2, 1 (of Eudoxus) ἐπιστεύοντο δ' οἱ λόγοι διὰ τὴν τοῦ ἥθους ἀρετὴν μάλλον ἢ δι' αὐτοὺς: Greg. Naz. c. 10 (qu. by Mayor on Juven. 14, 319) ὡς ἂν δὲ μὴ δόξειεν ἡδονὴν τινὶ | ταύτην ἐπαινεῖν, κοσμίως καὶ σωφρόνως | ἔξη ('Ἐπικούρος) βοηθῶν ἐκ τρόπου τῷ δόγματι. Sen. ep. 20 § 2; 21.

10. nihil...ad rem: cf. 4, 73.

12. cognoscere: 'to recognize'; a not uncommon sense, which Madvig illustrates from Att. 12, 22, 1; 14, 19, 4; Non. p. 276; Verr. 2, 1, 59 and 5, 72. Cf. *cognitio* in § 110 below.

13. cum sine: 'minus recte si interposuit (Manutius); neque enim cum conditione argumentum concluderat Torquatus, sed ita esse posuerat' (Madvig). About this note C. F. W. Müller says: 'paene incredibile esset quantum erret Madvigius.' What the error is, I do not know, unless it lies in the dogmatism of the note; the notion of cause rather than condition seems to me to be much more suitable to the passage. *Cum* (*quom*) has often fallen out in mss. when close to *quod*; so below, § 101 (in B and the Erlangen ms.).

sine metu vivi non posset, ne iucunde quidem posset. Satis est ad hoc responsum. Attulisti aliud humanius horum recentiorum, numquam dictum ab ipso illo, quod sciam, primo utilitatis causa amicum expeti, cum autem usus accessisset, tum ipsum amari
 5 per se etiam omissa spe voluptatis. Hoc etsi multis modis reprehendi potest, tamen accipio quod dant. Mihi enim satis est, ipsi non satis. Nam aliquando posse recte fieri dicunt nulla exspectata nec quaesita voluptate. Posuisti etiam dicere alios foedus quod-
 83 dam inter se facere sapientis ut, quem ad modum sint in se ipsos
 10 animati, eodem modo sint erga amicos; id et fieri posse et saepe esse factum et ad voluptates percipiendas maxime pertinere. Hoc foedus facere si potuerunt, faciant etiam illud, ut aequitatem, modestiam, virtutes omnis per se ipsas gratis diligant. An vero, si fructibus et emolumentis et utilitatibus amicitias
 15 colemus, si nulla caritas erit quae faciat amicitiam ipsam sua

1 ne: nec codd.; corr. Madv. 1 ne iucunde quidem posset: om. B.
 1 quidem: quid E. 1 est ad: est enim ad B. 2 horum...sciam:
 affert Nonius, p. 167. 3 ipso illo: ita A; illo ipso B; ipso om. Nonius.
 3 quod: qui B. 5 voluptatis: A² in marg. addit vel utilitatis. 5 etsi:
 ita A; etiamsi B. 5 multis modis: ita codd. nonnulli et Madv. coll. Oratore § 153;
 multimodis codd. optimi. 7 recte: non recte B. 7 exspectata: expecta E;
 expectatione B. 8 quaesita: ita A; exquisita B. 10 modo: om. B.
 11 percipiendas: perspicendas AB. An: ita B; at A.

1. ne iucunde quidem: Epic. went so far as to say that in friendship it is more blessed to give than to receive; see Usener, fragm. 544.

2. ad hoc: Cicero avoids the substantival dat. huic; below, § 85 cui loco... responsum.

humanius: in Laet. 45, 46 different shades of view held in the Epicurean school touching friendship are compared and the opinion of the founder himself is said to be 'multo inhumanius.'

3. numquam d.: cf. Usener § 398 note to p. 275, l. 25.

4. expeti...accessisset: see n. on 2, 54.

5. multis modis: it is highly improbable that Cicero wrote multimodis; the form is treated as obsolete in Orat. 153; cf. too Tusc. 5, 111 multis modis variisque. It is somewhat surprising that Cicero should use multis modis so rarely; there are no other exx. in Merguet, except in quotation.

6. accipio quod dant: a proverbial phrase corresponding to τὰ δίδόμενα δέχεσθαι, 'not to look a gift-horse in the mouth'; Plat. Gorg. 499 c; Att. 15, 17, 1 quid tu autem? τὰ μὲν δίδόμενα: meque obiurgavit vetere proverbio, τὰ μὲν δίδόμενα: Fam. 1, 1, 2

quod dat accipimus. Acad. 2, 68 quod tu mihi das, accepero; Verr. 2, 2, 150 quod mihi abs te datur, id accipio. There is a slight variation in the form in Att. 1, 14, 4 aperte tecte quidquid est datum libenter accipi; the connexion of the phrasing with the proverb as quoted above makes strongly in favour of rendering aperte tecte 'whether openly or secretly.' If the reading accipe quod do in Juven. 7, 165 be correct, the context separates the passages from those I have given above. In De Or. 2, 74 tantum quantum ipsi patiebantur accepimus, Boot, Mnem. xxiii, p. 203, following Ernesti, reads impertiebant or -bantur; but the context justifies patiebantur.

ipsis non satis: satis repeated so as not to end the sentence with non; see n. on 2, 95; Acad. 1, 10.

8. quaesita: the sense of exquirere voluptatem is hardly suitable here.

12. foedus: cf. 1, 70.

14. an vero: the interrogative form of the sentence (as Madvig says) demands an; there is no confusion in mss. commoner than that of at and an.

utilitatibus...colemus: n. on 1, 42.

15. sua sponte, etc.: cf. 5, 44.

sponte, vi sua, ex se et propter se expetendam, dubium est quin
 84 fundos et insulas amicis anteponamus? Licet hic rursus ea
 commemores, quae optimis verbis ab Epicuro de laude amicitiae
 dicta sunt. Non quaero quid dicat sed quid convenienter possit
 rationi et sententiae suae dicere. 'Utilitatis causa amicitia est 5
 quaesita.' Num igitur utiliore tibi hunc Triarium putas esse
 posse quam si tua sint Puteolis granaria? Collige omnia quae
 soletis: 'Praesidium amicorum.' Satis est tibi in te, satis in
 legibus, satis in mediocribus amicitis praesidi; iam contemni non
 poteris; odium autem et invidiam facile vitabis; ad eas enim 10
 res ab Epicuro praecepta dantur. Et tamen tantis vectigalibus

4 sed quid: *sed quod* BE. 5 est quaesita: ita A; *quaesita est* B. 7 granaria:
gramana A; *graviana* B; *gramina* codd. dett. 9 praesidi: *praesidii* Crat.;
praesidium AB. 10 enim res: *res enim* BE.

1. **dubium est quin:** 'have we any doubt about...?' Cf. 5, 91.

3. **de laude am.:** 'in praise of...', dom. 27 praedicatio de mea laude; Leg. 2, 63.

4. **non quaero, etc.:** n. on 2, 70.

7. **quam si tua sint:** cf. J. Lebreton in Rev. de Phil. xxii, p. 274 on tenses in these comparative cond. sent. After a principal clause with pres. or fut. (1) *quam si* with present or perfect occurs 3 times (here: Off. 1, 23; Fam. 16, 5, 1); with imperf. or pluperf. 26 times (e.g. Fin. 3, 44; 5, 56); (2) *quasi* with pres. or perf. 42 times (e.g. Fin. 2, 42); with imperf. or plupf. 3 times (Lael. 14; Leg. 2, 51, 53).

granaria: these grain stores are nowhere else mentioned; but a very large proportion of the whole Mediterranean trade with Italy passed through Puteoli; and doubtless much of the imported corn was stored there. The granaries were private, not public, as the context shows. Granaria Puteolis = g. qu. sunt P. Puteoli was afterwards supplanted by Ostia; see Waltzing, vol. II, especially 64-89, on *horrea*.

8. **praesidium:** so 1, 68; Lael. 46 praesidi adiumentique causa (Epicurus' view of friendship); Quint. 5, 11, 41 ubi amici, ibi opes. Sen. (ep. 9, 8) qu. Epicurus' letter: 'ut habeat qui sibi aegro adsideat, succurrat in vincula coniecto vel inopl.' Usener, § 175.

9. **mediocribus:** the Greek original contrasted the ideal with the everyday type of friendship; the contrast runs through the Laelius; cf. Lael. 22.

praesidi: the *praesidium* of the mss. is a correction caused by the Ciceronian form of the genitive, which was not

understood; so in § 69 and Liv. 22, 14, 15, quoted by Madvig: 'Rutili...nunc animum induxi scribere inveteratum errorem non amplius sustineri posse ratus.' C. F. W. Müller on Off. 2, 47 (p. 72, 23). Quite likely Lamb. was right in writing *Antoni* in Brut. 1, 12, 1. Corruptions traceable to this cause abound in mss.; so Ad Herenn. 3, 27 (*brachio*); 4, 16. Madvig quotes from the poets exx. of *satis* plus substantive (nom. or accus.) referred to verb; as Virg. Aen. 11, 366; Ovid, Met. 3, 149; Lucr. 1, 241 (where *tactus satis esset causa leti* = t. letum *satis efficeret*); also Cic. Inv. 2, 113 num iam satis pro eo quod fecerit honos habitus sit, where *satis* qualifies the whole phrase *honos habitus sit*, not *honos* alone. Madvig hesitates about two passages, (1) Att. 12, 50 si satis consilium quadam de re haberem; and indeed expressions like *satis animi, consili habere* are so common as to raise suspicion of the passage; but on the other hand there is no apparent reason why *satis* should not qualify *consilium habere*, as well as *honorem habere*; (2) the same applies to the other ex. Ad Herenn. 1, 1 vix satis otium studio suppeditare possumus. Madvig justly condemns the misinterpretation by edd. of passages like Liv. 6, 18, 10 vobis auxilium satis est, 'you are content with your auxilium,' i.e. 'you want nothing beyond it.'

contemni: n. on 1, 67 despicationes. Sen. dial. 4, 11, 1 utilis...ira quia contemptum effugit; 12, 13, 8 (and Lucr.); Clem. 1, 7, 3; ep. 105, 5, 6; dial. 6, 19, 2.

11. **et tamen:** n. on 1, 15.

vectigalibus: often of private re-

ad liberalitatem utens etiam sine hac *Pyladea* amicitia multorum te benivolentia praeclare et tuebere et munies. At quicum ioca **85** seria, ut dicitur, quicum arcana, quicum occulta omnia? Tecum optime, deinde etiam cum mediocri amico. Sed fac **5** ista esse non importuna; quid ad utilitatem tantae pecuniae? Vides igitur, si amicitiam sua *caritate* metiare, nihil esse praestantius, sin *emolumento*, summas familiaritates praediorum fructuosorum mercede superari. *Me* igitur ipsum ames oportet, non *mea*, si veri amici futuri sumus.

10 XXVII. Sed in rebus apertissimis nimium longi sumus. Perfecto enim et concluso neque virtutibus neque amicitiiis usquam

1 liberalitatem: *libertatem* AB cod. Morel. 1 etiam: *eam* AB cod. Morel.; corr. Manutius. 2 benivolentia: ita AB; *benevolentia* vulg. 2 et tuebere A cod. Morel.; *tuebare* BE: *tuebere* Madv. 2 ioca seria: *ioca et seria* A. 4 cum: *qui* E. 4 fac: *facta* B. 5 importuna: *importuna* A¹B; *inoportuna* A (corr. fort. prima manu). 7 sin: *suo* B. 8 fructuosorum: *preciosorum* Crat. 10 sed: *si* B. 10 sumus: *fuimus* E. 10 perfecto: *profecto* A¹. 11 concluso: *concludo* A¹.

venues; cf. magnum vectigal est parsimonia, Parad. 49.

1. *Pyladea*: § 79. For similar adjectives cf. De Orat. 3, 71.

2. *et tuebere et*: the ejection of the first *et* here is no more necessary than that of the second *quicum* below; *tuebere* and *munies* are no more similar in meaning than *arcana* and *occulta*.

munies: Ovid, P. 2, 3, 25 en ego non paucis quondam munitus amicis.

at, etc.: a supposed objection of Torquatus. The Epicureans doubtless argued that *ioca seria* (anything and everything) can only be shared with the *verus amicus*; cf. Ad Herenn. 2, 37 utile est veros amicos habere: habes enim quicum iocari possis. The word *utile* points to an Epicurean maxim, and the treatise Ad Herennium is largely tinged by Epicureanism.

ioca seria, etc.: Lael. 22 quid dulcius quam habere quicum omnia audeas sic loqui ut tecum? In the Laelius Cicero attacks Epicurus for his doctrine of friendship, but this is altogether in his vein. Att. 1, 18, 1 nihil mihi scito tam deesse quam hominem eum quicum omnia, quae me cura aliqua afficiunt, una communicem, qui me amet, qui sapiat, quicum ex animo loquar, nihil fingam, nihil dissimulem, nihil obtegam. [In the foregoing passage many edd. drop *una*, partly because it is far separated from *quicum*, partly as superfluous with *communicem*; neither reason is sound; cf. *una consentire* in Sest. 109. The grounds

on which *qui me amet qui sapiat* are supposed to be a quotation in verse, are very slight. The change from *quocum* to *quicum* is incredible.] For *ioca seria* cf. Sall. Jug. 96 ioca atque seria cum humillimis agere; Liv. 1, 4, 9 seria ac iocos celebrare; Tac. an. 2, 13 per seria, per iocos eundem animum; 6, 2 ludibria seriis permiscere solitus; Fronto, Ad Am. 1, 1 iocum seriumque participavi; Curt. 9, 29 per seria ac ludum; more quoted by Sonny in Archiv 9, 65.

3. *arcana*: Virg. Aen. 4, 421 solam nam perfidus ille | te colere, arcanos etiam tibi credere sensus; *arcanus* not in speeches, here only in philosophical works.

5. *importuna*: the word *inopportunos* belongs to a late period; improved knowledge of mss. has ejected it from De Or. 2, 20 and 3, 18. *Non imp.* here = οὐκ ἀνεπιτήδεια: this weaker sense is rare in Cicero, but occurs in the two passages of De Or. and in other writers, as Sall. Jug. 92, 7; Tac. an. 12, 12, 5; Sil. 3, 540; Gell. 3, 7, 5.

quid ad: always elliptical, n. on Acad. 2, 94: cf. above 1, 39 nihil ad.

9. *si...sumus*: 'de proprietate formae eius: *si-futuri sumus* (el—μέλλομεν) qua significamus ad quid consequendum aliquid necessarium sit (ubi nunc fere dicunt: *si nos amicos fieri oportet*), dixi in Opusc. Acad. 11, p. 281' (Madvig).

10. *longi*: so μακρός of persons in Plato.

perfecto: the abl. abs. neut. with subject unexpressed, occurs in all

locum esse, si ad voluptatem omnia referantur, nihil praeterea est magno opere dicendum. Ac tamen, ne cui loco non videatur esse responsum, pauca etiam nunc dicam ad reliquam orationem
 86 tuam. Quoniam igitur omnis summa philosophiae ad beate
 vivendum refertur, idque unum expetentes homines se ad hoc 5
 studium contulerunt, beate autem vivere alii in alio, vos in
 voluptate ponitis, item contra miseriam omnem in dolore, id
 primum videamus, beate vivere vestrum quale sit. Atque hoc
 dabitur, ut opinor, si modo sit aliquid esse beatum, id oportere
 totum poni in potestate sapientis. Nam si amitti vita beata 10
 potest, beata esse non potest. Quis enim confidit semper sibi
 illud stabile et firmum permansurum quod fragile et caducum sit?
 Qui autem diffidet perpetuitati bonorum suorum, timeat necesse
 est ne aliquando amissis illis sit miser. Beatus autem esse in
 87 maximarum rerum timore nemo potest. Nemo igitur esse beatus 15
 potest. Neque enim in aliqua parte, sed in perpetuitate temporis

2 magno opere: *magnopere* AB.

4 omnis summa: ita A; *summa omnis* B.

7 in dolore: *indole* E.

11 beata: om. B.

11 quis: *quid* BE.

11 semper sibi: ita A; *sibi semper* B.

12 illud: ita AB; *id* E.

13 diffidet: ita

A; *diffidit* BE.

15 esse beatus: ita AB; *beatus esse* E.

periods of Latin without dependent clause; with such clause it appears first in Cicero and is rare outside his writings in the best period, but common in Livy, Tacitus and some other writers. See Draeger, § 584. A dependent *ut*-clause is found in Off. 2, 42; *cum matre* depends on *compecto* in Scaur. 8; later, the dependent constructions take a wider range.

2. *magno opere*: Cic. rather more frequently uses this form than *magnopere*. Caesar almost always *magnopere*.

ac tamen: Madvig lays down the rule that Cicero in introducing some consideration opposed to what precedes, uses *et tamen* or *ac tamen* not *at tamen*, which is only in place 'in descensu ad minus post *si*, *si non*, *etsi*, interposito saepe vocabulo' (add *quamvis*); Att. 3, 19, 2; 16, 11, 2; Fam. 12, 15, 2 (Lentulus). Cf. 5 §§ 14, 94. Sometimes *ac* or *atque* without *tamen* as 2, 34. Tyrrell and Purser read *ac tamen* in F. 16, 8, 1 (Quintus Cic.) with Wesenberg.

4. *omnis*: goes with *summa* not *ph.*; 5, 38 in homine summa omnis animi est. For the context cf. 1, 62; 5 §§ 12, 16, 86; Madvig refers to Varro ap. Aug. c. d. 19, 1 nulla est homini causa philosophandi nisi ut beatus sit.

6. *beate vivere...ponitis*: n. on 1, 1.

7. *item...in dolore*: n. on 1, 41.

8. *quale*: attached to infin. below, § 104; in Brut. 294; Virg. ecl. 5, 46; cf. Lucr. 2, 122; cf. ipsum Latine loqui in Brut. 140 and Martha there. Sen. d. 11, 16, 2 hoc fuit eius lugere...parentare.

atque, etc.: the Stoic colouring of the passage is obvious; see 3, 45.

9. *esse beatum*: τὸ εἶναι τινα εὐδαίμονα; a substitute for εὐδαιμονίαν.

10. *in potestate*: see Sen. ep. 16, 6 quid sit iuris nostri.

13. *diffidet*: for the form of the sentence cf. Off. 2, 24 qui se metui volent, a quibus metuentur, eosdem metuunt ipsi necesse est. *Diffidat*, given by some of the older edd., would supply a sufficiently usual form; in that case the shadow of the coming subj. in the second clause is cast upon the verb in the first; see my n. on Cato m. 2; also n. on 3, 73 and Madvig's n. [The reading can hardly be right in Sen. dial. 9, 11, 6 (Haase) qui mortem timebit, nihil umquam pro homine et viro faciet: at qui sciat hoc sibi cum conciperetur statim dictum, vivet ad formulam.] The change of tense in passing from *confidit* to *diffidet* has many parallels; as § 88 qui ponit... qui putabit; see C. F. W. Müller on Cicero, Orat. 1, p. 76, l. 4.

15. *m. rerum timore*: 'when in alarm about very important matters.'

16. *in perpetuitate*: in the context

vita beata dici solet, nec appellatur omnino vita, nisi confecta
 atque absoluta, nec potest quisquam alias beatus esse, alias
 miser; qui enim existimabit posse se miserum esse, beatus non
 erit. Nam cum suscepta semel est beata vita, tam permanet
 5 quam ipsa illa effectrix beatae vitae sapientia neque expectat
 ultimum tempus aetatis, quod Croeso scribit Herodotus prae-
 ceptum a Solone. At enim, quem ad modum tute dicebas, negat
 Epicurus ne diuturnitatem quidem temporis ad beate vivendum
 aliquid afferre, nec minorem voluptatem percipi in breuitate
 10 temporis, quam si illa sit sempiterna. Haec dicuntur incon- 88
 stantissime. Cum enim summum bonum in voluptate ponat,
 negat infinito tempore aetatis voluptatem fieri maiorem quam
 finito atque modico. Qui bonum omne in virtute ponit, is potest
 dicere perfici beatam vitam perfectione virtutis; negat enim
 15 summo bono afferre incrementum diem. Qui autem effici volup-
 tate beatam vitam putabit, qui sibi is conveniet, si negabit
 voluptatem crescere longinquitate? Igitur ne dolorem quidem.

1 dici: duci AB. 1 vita: ita AB; *vita beata* codd. dett. Forte verba *nisi* et *vita*
 sunt transponenda. 4 semel est: *est semel* B. 7 at enim: *etenim* codd.; corr.
 Manutius. 7 dicebas: *ducebas* BE. 8 diuturnitatem: ita A et cod. Glogauensis;
nec diuturnitate BE. 8 quidem: om. cod. Glogauensis et Lambinus; *ne*
diuturnitatem quidem Madv. 10 haec: *nec* B. 14 perfici: ita AB; *perspici* E.
 15 effici voluptate beatam vitam: ita A; *voluptate vitam effici beatam* B. 16 is:
 om. B. 16 conveniet: *conveniret* B. 16 negabit: ita AB¹; *negabat* B²E.

there seems a reminiscence of Aristotle's arguments about βίος τέλειος:
 cf. Eth. N. I, 7, 16.

1. *vita nisi*: see adn. crit. The old readings give miserable sense; *beata vita* only affords a tautology; but *vita* alone is nonsensical; 'a life is not called a life at all unless when it is finished.' Madvig's subtleties do not get over the difficulty.

2. *alias...alias*: see Wölfflin in Archiv 2, 233 sq. The double *alias* appears in Plaut., Varro, Cic., Caes. and is rare afterwards.

4. *suscepta*, etc.: cf. Sen. ep. 50, 9 virtutes receptae exire non possunt.

6. Croeso: Arist. Eth. N. I, 11, 1 ff.; Herod. I, 32; Mayor on Juven. 10, 274.

7. *at enim*: 'recte, quod in codicibus est, mutavit Davisius Manutii coniecturam sequens. nam neque proximorum ratio redditur neque Ciceronis disputatio continuatur, sed interponitur a diversa parte Epicuri sententia, qua is se expedire conabatur' (Madvig).

8. *ne...quidem*: Madvig shows the necessity of this reading; *nec quidem...* *nec* is not Latin.

10. *inconstantissime*: cf. Acad. 2, 69 inconstantia levatur auctoritas.

12. *negat*, etc.: see I, 63 n.

13. *is potest dicere*: for the Stoics see 3, 47 n.

14. *perfectione virtutis*: this phrase is a little loose, because, although virtue, in the Stoic scheme, is the outcome of gradual advancement (προκοπή) of natural endowments towards perfection (τελειωσις), yet it is itself incapable of degree.

17. *ne dolorem quidem*: the grammatical form of the preceding sentence is continued without regard to the construction which the sense would strictly require. Madvig qu. N.D. I, 82 quid igitur censes? Apim illum nonne deum videri Aegyptiis? Tam hercle quam tibi illam vestram Sospitam; Ter. Hec. 278 ita animum induxerunt, socrus omnis esse iniquas: haud pol me quidem (distinctly for *haud pol ego sum iniqua*); Leg. I, 52 postremo, si propter alias res virtus expetitur, melius esse aliquid quam virtutem necesse est. Pecuniamne igitur, an honores, an formam, an

An dolor longissimus quisque miserrimus, voluptatem non optabiliorem diuturnitas facit? Quid est igitur cur ita semper deum appellet Epicurus beatum et aeternum? Dempsta enim aeternitate nihilo beatior Iuppiter quam Epicurus; uterque enim summo bono fruitur, id est voluptate. 'At enim hic etiam dolore.' 5 At eum nihili facit. Ait enim se, si uratur, 'Quam hoc suave!'

2 optabiliorem: *optabilem* A¹.

appellet beatum B; *Epicurus beatum appellet* E.

6 nihili: *nihil* AB.

3 appellet Epicurus beatum: ita A; *epicurus*

4 Iuppiter: *iupiter* AB.

6 se: supra versum A (fort. prima manu); om. BE.

valetudinem? Liv. 5, 35, 3 hanc gentem Roman venisse comperio; id parum certum est solamne an adiutam? See similar irregularities in note on I, 14.

2. ita: Madvig points out that this does not go with *semper*, but means ita ut facit: 'semper' respuit adverbium gradum notans'; although such an adverb is sometimes applied to negatives and words like *par*.

4. nihilo beatior: so Inscr. of Oinoanda: text of Heberdey and Kalinka, Bulletin de Correspondance Hellénique, xxi, p. 369 *ὅντα δ' ὅλα τὴν διάθεσιν ἡμῶν ἰσθθεον ποιεῖ, καὶ οὐδὲ διὰ τὴν θνητότητα τῆς ἀφθάρτου καὶ μακαρίας φύσεως λειπομένοισιν δέκνυσιν* 'ὅτε μὲν γὰρ ζῶμεν ὁμοίως τοῖς θεοῖς, χαίρομεν (lacuna). There is an allusion to a famous saying of Epicurus: Ael. var. h. 4, 13 *ὁ αὐτὸς ἔλεγεν ἐτοίμως ἔχειν καὶ τῷ Διὶ ὑπὲρ εὐδαιμονίας ἀγωνίζεσθαι μάζαν ἔχων καὶ ὕδωρ*: cf. too Diog. L. 10, 135 *ζήσῃ ὡς θεὸς ἐν ἀνθρώποις*. To this boast there are many allusions elsewhere; see Usener p. 339 sq. In the Herculean roll 152 (Scott p. 148 sq.) the doctrine of the equal happiness of *σοφοί* and *θεοί* is laid down. But at times Epic. admitted a difference of degree between the happiness of gods and sages; Diog. L. 10, 121. Of course on his principle that the element of time is unessential to the degree of happiness, the importance here attributed to *aeternitas* is irrelevant; cf. the quotations from Sextus in Sen. ep. 73, also 74 § 13; Plut. n. p. suaviter vivi, c. 7, p. 1091 *ἀφθάρτους καὶ ἰσθθεούς ἀποκαλοῦντες ἑαυτοῖς*: also I, 40 with the nn. there. Of course Stoic *θεοί* as opposed to *ὁ θεός* are not aeterni. The doctrine of Epic. is again the same as that of the Stoics: Sen. d. 1, 1, 5 bonus tempore tantum a deo differt; ib. 2, 8, 2; also ep. 53, 11 non multo te di antecedent... diutius erunt, at mehercules magni artificis est cluisse totum in exiguo. Tantum sapienti sua quantum deo omnis

aetas patet. Est aliquid quo sapiens antecedit deum: ille beneficio naturae non timet, suo sapiens. Ecce res magna habere imbecillitatem hominis, securitatem dei

Iuppiter: for *est* omitted see I, 3, 72.

5. fruitur...dolore: Davies quoted in illustration of the zeugma Att. 10, 4, 4 fortuna qua illi florentissima, nos duore conflictati videmur. 'Durissime Livius in comparatione post quam ex praecedente obesse audiri voluit prodesse' xlv, 20, 9 et 24, 8' (Madvig). A strong zeugma occurs in Cat. 3, 24 omnis hic locus acervis corporum et civium sanguine redundavit; cf. De Or. 3, 216 (sonant).

6. si uratur: i.e. in the bull of Phalaris; the same saying is quoted in Tusc. 2, 17; 5, 31; Pis. 42; Sen. ep. 67, 15; 66, 18; Lact. 3, 27, 5; 3, 17, 5; 3, 17, 42. Cf. also below, 5, 80 and 85; Tusc. 2, 18; 5, 75; and especially 5, 87 sequetur igitur horum ratione vel ad supplicium beata vita virtutem cumque ea descendet in taurum Aristotele Xenocrate Speusippo Polemone auctoribus...eadem Calliphontis erit Diodorique sententia. ...Reliqui habere se videntur angustius, enatant tamen, Epicurus, Hieronymus et si qui sunt qui desertum illud Carneadeum curent defendere. Nemo est eorum quin honorum animum putet esse iudicem eumque condoceriat ut ea quae bona malave videantur, possit contemnere. Cicero then goes on to praise all the utterances of Epicurus which he condemns here. Diog. L. 10, 118 (Epicurus says) *κὼν στρεβλωθῇ δ' ὁ σοφός, εἶναι αὐτὸν εὐδαίμονα*. The idea that the perfect man must be happy even on the rack is older than Epicurus; see Plat. rep. 361 E and Arist. Eth. Nic. 7, 13, 3 *οἱ δὲ τὸν τροχίζόμενον καὶ τὸν δυστυχίαις μεγάλαις περιπίπτοντα εὐδαίμονα φάσκοντες εἶναι, ἐὰν ᾗ ἀγαθός, ἡ ἐκόντες ἢ ἄκοντες οὐδὲν λέγουσιν* (an allusion to the Cynics).

dicturum. Qua igitur re ab deo vincitur, si aeternitate non
vincitur? In qua quid est boni praeter summam voluptatem,
et eam sempiternam? Quid ergo attinet gloriose loqui, nisi
constanter loquare? In voluptate corporis (addam, si vis, 'animi,'
5 dum ea ipsa, ut voltis, sit ex corpore) situm est vivere beate.
Quid? istam voluptatem perpetuam quis potest praestare
sapienti? Nam quibus rebus efficiuntur voluptates, eae non sunt
in potestate sapientis. Non enim in ipsa sapientia positum est
beatum esse, sed in eis rebus quas sapientia comparat ad volup-
10 tatem. Totum autem id externum est, et quod externum, id in
casu est. Ita fit beatæ vitæ domina fortuna, quam Epicurus ait
exiguam intervenire sapienti.

XXVIII. Age, inquires, ista parva sunt. Sapientem locupletat 90
ipsa natura, cuius divitias Epicurus parabilis esse docuit. Haec
15 bene dicuntur nec ego repugno, sed inter sese ipsa pugnant.
Negat enim tenuissimo victu, id est contemptissimis escis et
potionibus, minorem voluptatem percipi quam rebus exquisitissi-
mis ad epulandum. Huic ego, si negaret quicquam interesse ad
beate vivendum, quali uteretur victu, concederem, laudarem
20 etiam; verum enim diceret, idque Socratem, qui voluptatem
nullo loco numerat, audio dicentem, cibi condimentum esse
famem, potionis sitim. Sed qui ad voluptatem omnia referens

1 ab: ita A; a B. 4 loquare: loqui B. 5 ut: aut BE. 5 ex: et A; e B;
corr. Baiter. 7 eae: hæ A; hee B. 7 sunt in potestate: ita A; in potestate
sunt BE. (In om. A¹.) 9 quas: qua BE. 10 externum: extremum B (bis).
14 haec: nec B. 15 pugnant: repugnant B. 16 id est: idem B. 21 nullo:
in illo A.

1. ab deo: a is far commoner in Cicero before d than ab; Wagener in the new ed. of Neue II, p. 834, says he has reckoned 84 exx. of a deo or a dis against 14 of ab (of which this is one).

2. summam v., etc.: for perpetuitatem summae voluptatis.

3. gloriose: a retort upon Torquatus; as in § 77; see I, 42: cf. 2, 48.

10. totum id: after rebus; cf. I, 20; 2, 6.

12. exiguum interv.: n. on I, 63.

14. ipsa natura: cf. n. on I, 45.

16. negat, etc.: Diog. L. 10, 130 οἱ γὰρ λιτοὶ χυλοὶ ἰσὴν πολυτελεῖ διαίτη τὴν ἡδονὴν ἐπιφέρουσιν, ὅταν ἅπαν τὸ ἀλγὺν κατὰ τὴν ἐνδεῖαν ἐξαιρεθῇ. καὶ μᾶζα καὶ ὕδωρ τὴν ἀκροτάτην ἀποδίδωσιν ἡδονήν, ἐπειδὴ ἐνδέων τις αὐτὰ προσενέγκῃται. Epic. wrote much in praise of bread and water. [Usener reads ἀηδῖαν in the first of the two places where ἡδονήν occurs;

Cicero's words are rather against the correction.] Cf. Usener, fr. 463. Solon, p. 19 (Bergk's Anth. Lyr.) enlarges on the theme that the poor may be as wealthy in the true sense, as the rich.

id est: n. on 2, 6 and Acad. I, 8.

19. uteretur: the doctrine might have been expected to be put more generally (uteremur or quali quis uteretur). The German translators take the subject of uteretur to be indefinite 'man'; but if the text be right the subject must be the same as that of negaret; cf. below, consequatur (§ 92).

20. Socratem: in Xen. Mem. I, 3, 5; I, 6, 5. Hor. s. 2, 2, 20 tu pulmentaria quaere sudando; Tusc. 5, 90 pulpa-mentum fames (of Anacharsis); Sen. ep. 119, 4 nihil contemnit esuriens.

21. nullo loco numerat: 2, 50.

audio: 'I listen readily.'

- vivit ut Gallonius, loquitur ut Frugi ille Piso, non audio nec eum
 91 quod sentiat dicere existimo. Naturalis divitias dixit parabilis
 esse, quod parvo esset natura contenta. Certe, nisi voluptatem
 tanti aestimaretis. Non minor, inquit, voluptas percipitur ex
 vilissimis rebus quam ex pretiosissimis. Hoc est non modo cor 5
 non habere sed ne palatum quidem. Qui enim voluptatem ipsam
 contemnunt, eis licet dicere se acupenserem maenae non ante-
 ponere; cui vero in voluptate summum bonum est, huic omnia
 sensu, non ratione sunt iudicanda, eaque dicenda optima, quae
 92 sint suavissima. Verum esto; consequatur summas voluptates 10
 non modo parvo, sed per me nihilo, si potest; sit voluptas non
 minor in nasturcio illo, quo vesci Persas esse solitos scribit
 Xenophon, quam in Syracusanis mensis, quae a Platone graviter
 vituperantur; sit, inquam, tam facilis, quam voltis, comparatio
 voluptatis, quid de dolore dicemus? cuius tanta tormenta sunt, 15
 ut in eis beata vita, si modo dolor summum malum est, esse non
 possit. Ipse enim Metrodorus, paene alter Epicurus, beatum esse
 describit his fere verbis: 'cum corpus bene constitutum sit et
 sit exploratum ita futurum.' An id exploratum cuiquam potest

1 Frugi ille Piso: *frui ille ipso* BE. 1 nec eum: ita AB; *nec enim* codd. dett.
 2 quod: om. E. 6 ne: om. B. 6 qui enim...anteponere: affert Nonius, p. 530.
 6 voluptatem ipsam: *voluptates ipsas* Nonius. 7 eis: ita Nonius; *is* A¹; *his* BE.
 7 acupenserem: *accupem se tē me* A; *accupenserem mene* BE. 10 sint: ita A;
 sunt B. 10 suavissima: *firmissima* B. 16 eis: *hys* B; *his* E. 17 alter:
 ita A²B Crat.; *aliter* A¹ et cod. Morel.

1. **vivit ut Gallonius**: an extravagant statement, after all that has been admitted about the frugality of Epicurus. Cf. Gnom. Vat. § 36 ὁ Ἐπικούρου βίος τοῖς τῶν ἄλλων συγκρινόμενος ἕνεκεν ἡμερότητος καὶ αὐταρκείας μῦθος ἂν νομισθεῖν. Gallonius, a Lucilian character. See Corp. Gloss. s. v. *pila* where there are references to Gundermann, Rh. M. xli, p. 632; Lejay, Revue Critique, p. 426 (no vol. given); F. Marx, Stud. Vindob. xviii, p. 309; above, 2, 25, 70; see Epict. 1, 24, 38.

Piso: Madvig quotes a parallel to the corruption *ipso* in Ascon. p. 15 (ed. Clark); there is another in the text of Fam. 14, 1, 3. For *loquitur ut Piso* cf. Sen. dial. 7, 18, 1 'aliter,' inquit, 'loqueris, aliter vivis.'

5. **cor**: see n. on § 24. Plutarch, de aud. poetis, 14 D (Wytt.).

12. **scribit**: *Cyprip.* 1, 2, 8 (κάραμον); Cicero quotes the passage again, Tusc. 5, 99.

13. **Syracusanis m.**: Plat. *rep.* 404 D

Συρακοσίαν...τράπεζαν καὶ Σικελικὴν ποικίλλαν ὄψον: Gorg. 528 B Μίθαικος ὁ τὴν ὀψοποιίαν συγγεγραφὼς τὴν Σικελικὴν; Tusc. 5, 100 Italicarum Syracusiarumque mensarum (quoted from Plat. *ep.* 7, p. 326 B); Hor. *od.* 3, 1, 18 *Siculae dapes*.

16. **est, esse**: see my n. on Acad. 2, 22.

17. **beatum esse**: n. on § 86.

18. **his fere verbis**: ap. Clem. strom. 2, 21, p. 179 ἀγαθὸν ψυχῆς τί ἄλλο ἢ τὸ σαρκὸς εὐσταθὲς κατὰ στήμα καὶ τὸ περὶ ταύτης πιστὸν ἐλπισμα; The words are quoted again as from Metrodorus in Tusc. 2, 17 and (in a paraphrased form) 5, 27. They became almost proverbial and were often attributed to the Epicurean school generally. So Cleomed. 2, 1, 87 (p. 158, 12, ed. Ziegler), and ib. 2, 1, 91 (p. 166, 3); in the latter passage this and other Epicurean utterances are compared to the frenzied deliverances of the women-votaries of Demeter, and of the Jews.

19. **potest esse**: see my n. on Acad. 2, 22.

esse quo modo se hoc habiturum sit corpus, non dico ad annum, sed ad vesperum? Dolor igitur, id est summum malum, metuetur semper, etiam si non aderit; iam enim adesse poterit. Qui potest igitur habitare in beata vita summi mali metus? Traditur, in- 93

5 quit, ab Epicuro ratio neglegendi doloris. Iam id ipsum absurdum, maximum malum neglegi. Sed quae tandem ista ratio est? Maximus dolor, inquit, brevis est. Primum quid tu dicis breve? deinde dolorem quem maximum? Quid enim? summus dolor pluris dies manere non potest? Vide ne etiam mensis! nisi forte 10 eum dicis qui, simul atque arripuit, interficit. Quis istum dolorem

1 se hoc: ita AE; *se hic* B. 2 id: om. B. 4 inquit: *enim* B. 5 id: *ad* B; om. A; corr. Ernestius. 9 nisi: *ne* E. 10 qui: *qui si* B. 10 interficit: *interfecit* B.

1. *ad annum*: here, 'in a year's time'; but the sense sometimes is 'next year,' 'when next year comes'; as in De Or. 3, 92 *apparatu nobis est et rebus exquisitis...ut tibi, Caesar, faciendum est ad annum*; Caesar was aedile elect, and it cannot be intended that his aedilician games were to be exhibited in just a year from the moment of speaking. Cf. too Att. 5, 2, 1 *Furnium nostrum quem ad annum tribunum plebis videbam fore*; 5, 18, 1 *ad ver*, 'when next spring comes.' Although expressions like *ad D annos* are not infrequent, yet *ad annum* alone is rare. This is the only passage in Merguet's Lexica; Lucil. 9, 55 (Müller) has the phrase; also Varro, Pappus, ap. Non. 26 de eo questum ad annum veniam ad novum magistratum. In Cael. ap. Fam. 8, 14, 2 where *ad annum* used to be read, C. F. W. Müller now has *in annum*; the preposition is absent from the mss.

2. *ad vesperum*: Cato m. 67 cui sit exploratum se ad vesperum esse victurum. The fem. *vespera* is found in good texts now in only two passages of Cicero, viz. Phil. 2, 77 (where Gell. and some existing mss. give *vesperum*); and In Cat. 2, 6; in Caes. there is no instance. The abl. in Cicero and the best writers is *vespere* only. [Sen. dial. 6, 10, 4 nihil de hodierna nocte promittitur.]

4. *habitare*: cf. Att. 2, 9, 2 *video quo invidia transeat et ubi sit habitatura*; other exx. of *habitare* with abstract subjects are given in the lexica.

5. *id ipsum*: for *est* omitted see 1, 3. Madvig in a note here draws the limits within which *ipse* may stand for *is ipse*. He first removes from the question passages in which *ipse* denotes a person

so clearly by contrast that the demonstrative is not needed; so *ipse dixit* ("non pro eo alius"); *quaeram ex ipso* ("non ex alio de eo"); so Fin. 2, 82 *ipsis non satis*; also 5, 2 and 5, 39. In such cases it is the addition of the demonstrative rather than its omission, which is notable; indeed in some instances (as in 5, 39) it could not be added without materially changing the sense. A numerous class of examples in which the demonstrative is sometimes inserted and sometimes omitted is that in which *ipse* is followed by a relative, as above, 1, 13 *ab ipsis qui eam disciplinam probant*. Madvig doubts *ipsum* for *id ipsum* in Leg. 2, 12 *estne ob ipsum habenda nullo loco*; Fam. 6, 19, 2 *si modo ipsum sciet*; Att. 10, 14, 3; 12, 14, 3; Div. 2, 119. In all these places (to which Att. 12, 39, 2 may be added) edd. now generally give *id ipsum*: Sen. d. 4, 11, 2 *ipso quo timentur*. [In similar circumstances in Greek *αὐτό* might stand alone in all.] With regard to Fam. 4, 13, 2 *ut ipsum quod maneam in vita, peccare me existimem*, Madvig says 'videri potest ita defendendum esse, ut *quod maneam* relativae sententiae vicem expleat. Cf. Sen. Cons. ad Marc. 12, 2 *ipsum quod habuisti fructus est?*' Of Leg. 2, 34 he remarks that the sense forbids *et ipsa* to stand for *et ea ipsa* and further, that the 'codices antiqui' of Livy give *ipse* for *is ipse* in only three places, viz. 5, 43, 4; 21, 55, 11; 22, 4, 2. [There is often variation in even good mss. touching *is ipse*; so Quint. 69; Verr. 2, 3, 123. And in edd. the demonstrative has often been wrongly added, as in Acad. 1, 39; Verr. 2, 4, 20.]

timet? Illum mallet levares, quo optimum atque humanissimum virum, Cn. Octavium, Marci filium, familiarem meum, confici vidi, nec vero semel nec ad breve tempus, sed et saepe et plane diu. Quos ille, di immortales! cum omnes artus ardere viderentur, cruciatus perferebat! Nec tamen miser esse, quia 5 summum id malum non erat, tantum modo laboriosus videbatur; at miser, si in flagitiosa atque vitiosa vita afflueret voluptatibus.

- 94 XXIX. Quod autem magnum dolorem brevem, longinquom levem esse dicitis, id non intellego quale sit. Video enim et magnos et eosdem bene longinquos dolores, quorum alia toleratio 10 est verior, qua uti vos non potestis, qui honestatem ipsam per se non amatis. Fortitudinis quaedam praecepta sunt ac paene leges, quae effeminari virum vetant in dolore. Quam ob rem turpe putandum est, non dico dolere (nam id quidem interdum est necesse), sed saxum illud Lemnium clamore Philocteteo funestare, 15

Quod eiulatu, questu, gemitu, fremitibus
Resonando mutum flebilis voces refert.

Huic Epicurus praecentet, si potest, cum

E viperino morsu venae viscerum
Veneno imbutae taetros cruciatus cient!

20

Sic Epicurus: 'Philocteta, st! brevis dolor.' At iam decimum

3 et saepe: *etiam saepe* B. 4 et plane diu: *et* om. AB; addidit Halm.; *plane et diu* Madv. 4 di: *dii* A; *dy* B. 8 quod: *quid* BE. 9 levem: *lenem* A. 9 esse: om. B. 10 quorum: ita AB Crat.; *quae non* cod. Morel.; *quaenam* codd. dett. 14 dolere: *dolore* B. 14 interdum est: ita A; *est interdum* B. 15 Philocteteo: ita A; *philoctere* BE. 16 eiulatu: *heulatu* A. 17 mutum: *mutu* E. 18 praecentet: ita B; *et* A. 18 si: *si qui* Crat. 18 potest, cum E viperino: *potest cui viperino* AB; corr. Baiter. 21 st: ita Madv.; *si* codd. 21 brevis dolor: ita Madv.; *brevis dolor levis* AB.

2. Cn. Octavium: consul in 76 B.C.

7. miser, st: for the omission of *esset* cf. Tusc. 1, 90 odiosum, si id *esset* carere.

10. bene long.: Lucil. 30, 54 (Müller) bene longincum morbum.

longinquos: Nettleship in Journal of Philology xx, 176, truly states that *longinquus* in the sense of *longus* 'is confined to time, action, or condition, and is never apparently extended to physical length.'

alia toleratio: cf. Acad. 2, 51 inanium visorum una depulsio est; and the passages quoted in my note there; also my n. on Acad. 2, 45 cognitionem.

15. saxum, etc.: the verses quoted are from the Philoctetes of Attius. In Tusc. 2, 33 Cicero quotes the end of the line which precedes *quod eiulatu*, etc.

viz. in lecto umido. Madvig approves the correction *tedo* for *lecto*, and supposes *saxum* here to refer to the cave in which Philoctetes lived. Cf. Soph. Ph. 1262 $\xi\lambda\lambda\theta' \acute{\alpha}\mu\epsilon\iota\phi\alpha\varsigma \tau\acute{\alpha}\sigma\delta\epsilon \pi\epsilon\tau\rho\eta\pi\epsilon\upsilon\varsigma \sigma\tau\acute{\epsilon}\gamma\alpha\varsigma$.

18. praecentet: the reference is to the use of incantation for the purpose of healing ($\epsilon\pi\acute{\alpha}\delta\epsilon\upsilon\iota\nu$, $\epsilon\pi\omega\delta\alpha\iota$). The professional *praecantatrix* was known to Plautus (Mil. 692); so *praecantrix* in Varro ap. Non. 494, and *praecanere*, *praecantator*, *praecantamen*, *praecantatio* are all used in connexion with medical sorcery. For *praecento* cf. *occantare* and *accentus*; though *praecanto*, *occanto* are found; as are *praecano*, *occano*, for *praecino*, *occino*.

21. Philocteta: Madvig points out that in the nom. case, Greek $-\eta\varsigma$ is *not* repre-

Attius

annum in spelunca iacet. 'Si longus, levis; dat enim intervalla et relaxat.' Primum non saepe, deinde quae est ista relaxatio, 95 cum et praeteriti doloris memoria recens est et futuri atque impendentis torquet timor? 'Moriatur,' inquit. Fortasse id opti- 5 mum, sed ubi illud: 'Plus semper voluptatis'? Si enim ita est, vide ne facinus facias, cum mori suadeas. Potius ergo illa dicantur: turpe esse, viri non esse debilitari dolore, frangi, succumbere. Nam ista vestra: 'Si gravis, brevis; si longus, levis' dictata sunt. Virtutis, magnitudinis animi, patientiae, forti- 10 tudinis fomentis dolor mitigari solet.

1 levis: lenis A. 3 cum: quae B. 3 est et: sit et A. 6 facinus facias: facias facinus B. 6 mori suadeas: mori si videas BE.

sented by -a in Cicero, except in words introduced early, as *pirata*, *Persa* (name of a dog in a story going back to old times in Div. 1, 103; *Perses* elsewhere). The abl. in Cicero often ends in a -a and the accus. sometimes in -am. See Neue, 1², 31-40.

st!: I have followed Madvig with some hesitation. Wherever st! is given in current texts of Cicero (unless in quotations) it is due to conjecture. So Rep. 6, 12; Fam. 16, 24, 2; Att. 2, 1, 10. In the last of these passages the conjecture seems to be particularly doubtful. [It would be as simple a correction of the mss. here to read 'si durus brevis,' leaving out *dolor*.]

1. dat intervalla: Scott, Herc. pap. 26, p. 212, col. 13 (in re simili) ἀναπνοάς γε λαμβάνει. Sen. ep. 78, 17-utrum vis longum esse morbum an concitatum et brevem? si longus est habet intercapedinem, dat refectiōni locum (see the context); also 78, 8. Cf. n. on 1, 49.

2. non saepe: the sense 'it is not often so' is inferior to 'it is often not so.' This latter sense is perhaps possible. Just as non prorsus stands for prorsus non in circumstances where non would otherwise have a stop after it (n. on § 17), so perhaps here non saepe took the place of saepe non to avoid ending the clause with non; cf. n. on Acad. 1, 10.

3. et futuri, etc.: for the form et A et B atque C, where C begins with a vowel see n. on Acad. 1, 23; cf. ib. 2, 34.

4. id optimum: for omission of est see 1, 3.

5. ubi: 'what becomes of...?'; so often as Acad. 2 §§ 39, 82, 95.

plus...voluptatis: 1, 62 n.

6. facinus facias: so Ennius 305 (Müller); Liv. 1, 41; 24, 22; for the 'figura etymologica' generally see

Draeger, § 171, 1; and excellent articles by Schmalz in Act. Erlang. 2, pp. 1-69 and 509-13.

cum...suadeas: causal clause. Mer- guet's lexica give 25 quotations for suadeo; the acc. and inf. constr. occurs in Caec. 15; Arch. 14; but there is no other instance of the simple infin.; which, however, is found in De Or. 1, 251. But Draeger's statement (11², p. 324) that this is the earliest occurrence of the infinitive construction, is incorrect; see Ad Herenn. 3, 5 (dissuadere). Drae- ger gives exx. from Virg. and later authors, among them (p. 402) Aen. 12, 813 (add Phaedr. 1, 15, 6); and p. 409 instances of suadeo with accus. of person (instead of dat.) and inf. Of course an object clause with acc. and inf. is not un- common; so Arch. 14; in Caec. 15 we have id as object followed by explana- tory clause. Cicero once (Phil. 13, 35) uses persuasum est with simple inf. [Caes. avoided the simple verb suadere.] Prov. cons. 42 postea me ut sibi essem legatus non solum suavit verum etiam rogavit, is peculiar; either me is due to the consciousness that rogavit is coming;

or it is a corruption of ⁱm for mihi, or perhaps an insertion.

9. dictata: a schoolboy's lesson, something given out to be copied down or committed to memory; so below, 4, 10 quasi dictata decantare; Tusc. 2, 26; N.D. 1, 72; Qu. fr. 3, 1, 14; Hor. ep. 1, 1, 55 and 1, 18, 13 and 2, 1, 71; Pers. 1, 29; Juven. 5, 122 (see Mayor's n.). For the reproach here against Epic. cf. 2, 20 and Sen. ep. 12 § 11 perseverabo Epicurum tibi ingerere, etc.

10. fomentis: only the plur. of this word occurs in good Latin. The primary sense is that of a bandage or poultice

11. brief

96 XXX. Audi, ne longe abeam, moriens quid dicat Epicurus, ut intellegas facta eius cum dictis discrepare: 'Epicurus Hermarcho S. Cum ageremus,' inquit, 'vitae beatum et eundem supremum diem, scribebamus haec. Tanti aderant vesicae et

4 haec. Tanti: *ne tanti B.*
autem aderant cod. Morel.

4 tanti aderant: ita A; tanti autem B; tanti

to keep down pain or inflammation; and in metaphorical uses the application is always to something that soothes mental pain or uneasiness; so Tusc. 2, 59 haec sunt solacia, haec fomenta dolorum. In the much-debated passage of Horace, ep. 1, 3, 25 quod si | frigida curarum fomenta relinquere posses | quo te caelestis sapientia duceret, ires, the interpretation which makes *curarum* a defining genitive, so that the *fomenta* consist of the *curae* (see Wilkins, ad loc.), seems to be excluded by usage. Even if *fomenta* could be applied to anything bad, like *curae*, it would still be necessary that the *curae*, if treated as equivalent to *fomenta*, should be regarded as *soothing* or *healing* appliances, which is manifestly impossible; cf. also Sen. ep. 51, 5 fomenta Campaniae (of Hannibal), where see context.

1. *ne longe abeam*: so Sex. Rosc. 47 ne longius abeam; cf. below, 5, 80 n. and Rep. 3, 28 nec vero longius abibo; Verr. 4, 109 non obtundam diutius.

2. *discrepare cum*: on the analogy of *pugnare cum*, etc.

Hermarcho: Sen. ep. 92, 25; Diog. L. 10, 22 quotes as from a letter to Idomeneus: 'τὴν μακαρίαν ἀγοντες καὶ ἅμα τελευτῶντες (Madvig ~~τελευταίαν~~, after Davies) ἡμέραν τοῦ βίου ἐγράφομεν ὑμῖν ταυτί· στραγγουρικὰ τε παρηκολούθει καὶ δυσεντερικὰ πάθη ὑπερβολὴν οὐκ ἀπολείποντα τοῦ ἐν ἑαυτοῖς μεγέθους· ἀντιπαρετάττετο δὲ πᾶσι τούτοις τὸ κατὰ ψυχὴν χαῖρον ἐπὶ τῇ τῶν γεγονότων ἡμῖν διαλογισμῶν (Cicero inserts *inventorumque*) μνήμῃ. σὺ δὲ ἀξίως τῆς ἐκ μερακίου παραστάσεως πρὸς ἐμὲ καὶ φιλοσοφίαν ἐπιμελοῦ τῶν παίδων Διοδώρου.'

It will be observed that *ὑμῖν* is first used, then *σύ*. Apparently part of the extract is addressed to a number of friends (not to Hermarchus solely, nor to Idomeneus solely) and the last sentence to Hermarchus alone. Cicero takes no notice of *ὑμῖν*: either his copy did not contain the word, or knowing that Hermarchus was alone addressed in the last sentence, wrongly concluded that the whole letter belonged to him, and dropped *ὑμῖν* as inconsistent. In the will

of Epicurus (see further down), it is stated that the children of Metrodorus were living with Hermarchus. On the authority of Apollodorus in his 'Χρονικά,' Diog. L. 10, 15, gives this account of the death of Epic.: 'τελευτῆσαι δὲ αὐτὸν λίθῳ τῶν οὖρων ἐπισχεθέντων, ὡς φησὶ καὶ Ἑρμαρχος ἐν ἐπιστολαῖς, ἡμέρας νοσήσαντα τετταρεσκαίδεκα. ὅτε καὶ φησὶν Ἑρμῖππος ἐμβάντα αὐτὸν ἐς πύelon χαλκῇν κεκραμένην ὕδατι θερμῷ καὶ αἰτῆσαντα ἄκρατον ῥοφήσαι. τοῖς δὲ φίλοις παραγγέλλοντα τῶν δογμάτων μεμνήσθαι, οὕτω τελευτῆσαι. Cicero alludes to the letter of Epic. in Tusc. 2, 45; 5 §§ 26, 74, 88; so Sen. ep. 66, 47; 92, 25; Epict. diss. 2, 23, 21. Marc. Aur. 9, 41, alludes to other utterances of Epic. about his illness. Cic. Fam. 7, 26, 1 mentions that the Stoics attributed the last illness of Epic. to a vicious life. Diog. L. 10, 7, quotes Timocrates to the effect that for many years Epic. was so ill as to be unable to rise from his couch. If Diog. L. 10, 24 may be trusted, Metrodorus, who died before Epicurus, wrote *περὶ τῆς Ἑπικούρου ἀρρωστίας*. A fragment of Philodemus V.H.² 1, 128, professes to give words written by him when at his last gasp: ἐκπνέων· 'ἐβδόμη γὰρ ἡμέρα ὅτε ταῦτ' ἐγραφον, οὐχὶ ἀποκεχώρηκεν δὴ κατὰ τὴν οὐρῃσιν ἐμοὶ οὐθέν καὶ ἀλγῆδones ἐνήσαν τῶν ἐπὶ τὴν τελευταίαν ἡμέραν ἀγουσῶν. σὺ οὖν, ἂν τι γένηται, τὰ παῖδια τὰ Μητροδώρου διοικήσον τέτταρα ἢ πέντ' ἔτη μὲν πλείον δαπανῶν ἢ περ νῦν εἰς ἐμὲ δαπανᾶς κατ' ἐνιαυτόν.' καὶ προβάς: 'ὑπὲρ τῶν νῦν οἶδα καὶ Αἰγέα καὶ Διοδώρον καὶ τῆς σῆς φρενὸς ὄντας οὐκ ἀρέσκευμα μόνον'... This looks like a free version of the letter quoted by Cicero and Diog. L. but carried beyond the point at which they stop. Apparently the sons of Metrodorus are commended to Aegeus and Diodorus, as well as Hermarchus. In the will there is also a recommendation to Amynomachus and Timocrates. As to the letters of Epicurus, of which numerous traces exist, information will be found in Usener, pp. 131-64.

4. *vesicae et torminum*: Plin. n. h. 20, 36, mentions together *tormina* and

corrects D.D.
from this
pass. in
Cic.
Davies did,
v. many

torminum morbi, ut nihil ad eorum magnitudinem posset accedere.' Miserum hominem! Si dolor summum malum est, dici aliter non potest. Sed audiamus ipsum: 'Compensabatur,' inquit, 'tamen cum his omnibus animi laetitia, quam capiebam
5 memoria rationum inventorumque nostrorum. Sed tu, ut dignum est tua erga me et philosophiam voluntate ab adulescentulo suscepta, fac ut Metrodori tueare liberos.' Non ego iam Epa- 97
minondae, non Leonidae mortem huius morti antepono, quorum alter cum vicisset Lacedaemonios apud Mantineam atque ipse
10 gravi vulnere exanimari se videret, ut primum dispexit, quaesivit,

1 torminum: AB Crat. cod. Morel.; *viscerum* codd. dett. 2 miserum: ita AB; *en miserum* cod. Glogauensis; *ecce miserum* codd. dett. 3 compensabatur: *compensabat* B. 6 et philosophiam: ita A; *et erga philosophiam* B. 10 exanimari: *exanimati* BE. 10 dispexit: ita A; *despexit* codd. cett.

stranguria; cf. 32, 24 t. ac vesicae ac calculorum mala. Plut. n. p. suaviter vivi, p. 1097 e [*Ἐπίκουρος*] νόσῳ νοσῶν ἀσκήτη τινὰς ἐστίασεις φίλων συνήγε καὶ οὐκ ἐφθόνηι τῆς παραγωγῆς τοῦ ὕγρου. τῷ ὕδρωπι, καὶ τῶν ἐσχάτων Νεοκλέους λόγων μεμνημένος ἐτήκετο τῇ μετὰ δακρύων ἰδιοτρόπῳ ἡδονῇ (a quotation from a letter of Epic.); ib. 1089 e οὐδὲ γὰρ ἂν προσέπιπτεν ἀνδράσι νοῦν ἔχουσι στρατηγουργικὰ πάθη καὶ δυσεντερικὰ καὶ φθίσεις καὶ ὕδρωπες, ὧν τοῖς μὲν αὐτὸς Ἐπίκουρος συννήχθη, τοῖς δὲ Πολύαινος, τὰ δὲ Νεοκλέα καὶ Ἀγαθίβουλον ἐξήγαγε; strophus glossed by *dolor ventris* and *torcinem* (for which see *torquimina* in Corp. Gloss.). The word *tormina* (cf. *tormen-tum*) is used by Cato 126; 156, 5; 157, 9; Lucret. 5, 997 has *vermina* (Sen. ep. 78, 9 verminatio, and 95, 17 of the brain); in connexion with which may be mentioned an altar discovered at Rome in recent times, dedicated to a god *Verminius*. Cic. Tusc. 4, 27 has *torminosus*. Non. 32 M. seems to quote *tormines*, but the reading is not quite sure. Stories are told of the death of Antisthenes resembling those about Epic.; see Mullach, *Fragm.* II, p. 267.

2. *miserum hominem*: on *o* see my nn. on Att. 13, 6, 4 (in *Hermathena*, 25 (1899), p. 333); cf. 2, 12, 1 *o* suaves epistulas tuas; add 15, 13, 3, where *o* is added by edd. to *hominem nequam* but not to succeeding *cautum*. The *ecce* of the inferior mss. is intolerable, because Cicero nowhere uses *ecce* with acc. [Madvig's reason for condemning the punctuation of preceding edd. (*ecce miserum, si*, etc.), viz. 'condicio non exclamatori, sed iudicio

adiungenda erat,' is not sound; see, e.g. Phil. 2, 54 and 13, 34.] Cicero makes but little use of *en* (not at all in the philosophical writings), and generally with indirect constructions or whole clauses (like 'en hic ille est'); but the accus. must apparently be allowed to him; see Verr. 2, 1, 93; 2, 5, 55; Phil. 5, 15 (hence correct Draeger, § 179 B). Köhler in *Archiv* 6, 38, says *en* takes nom. first in Virg. and not in prose before Tac.; he does not notice Cic. *Deiot.* 17 *en causa cur regem fugitivos accuset*; perhaps *causa* (*cā*) was added there by copyists who did not understand the construction *en cur*.... The nom. with *o* is of course common in Cicero as elsewhere.

5. *rationum inventorumque*: in the Greek there is only τῶν γεγονότων ἡμῖν διαλογισμῶν. Cicero often gives double renderings, and this trick in rendering from the Greek is common in Latin literature; thus Ennius represents ποῖ νῦν τρέπωμαι; (Eur. *Med.*) by *quo nunc me vertam? quod iter incipiam ingredi?* See n. on 1, 38 fn.

8. *huius mortis*: for repetition cf. 1, 3 n.; 2, 19.

10. *ut primum dispexit*: the verb *dispicere* primarily meant to catch a glimpse of something through a narrow opening, then to see in circumstances of difficulty; below, 4 §§ 64, 65 and 5 § 41; see other exx. in my n. on Acad. 2, 61. The rare verb διαβλέπειν in Plat. *Phaed.* 86 D has, I think, a similar sense; Socrates there knits his brow and looks through narrowed eyelids. Cf. *διόψis* (Plutarch and Plato, *Tim.* 40 D, whence, however, Archer-Hind has ejected the word). There is a slight

salvosne esset clipeus. Cum salvom esse flentes sui respondissent, rogavit essentne fusi hostes. Cum id quoque, ut cupiebat, audivisset, evelli iussit eam, qua erat transfixus, hastam. Ita multo sanguine profuso in laetitia et victoria est mortuus. Leonidas autem, rex Lacedaemoniorum, se in Thermopylis 5 trecentosque eos, quos eduxerat Sparta, cum esset proposita aut fuga turpis aut gloriosa mors, opposuit hostibus. Praeclarae mortes sunt imperatoriae; philosophi autem in suis lectulis plerumque moriuntur. Refert tamen quo modo. *Beatus* sibi videtur esse moriens. Magna laus. 'Compensabatur,' inquit, 10
 98 'cum summis doloribus laetitia.' Audio equidem philosophi vocem, Epicure. Sed quid tibi dicendum sit oblitus es. Primum enim, si vera sunt ea, quorum recordatione te gaudere dicis, hoc est, si vera sunt tua scripta et inventa, gaudere non potes. *Ep. inconsistent* Nihil enim iam habes quod ad corpus referas; est autem a te 15 semper dictum nec gaudere quemquam nisi propter corpus nec dolere. 'Praeteritis,' inquit, 'gaudeo.' Quibusnam praeteritis? si ad corpus pertinentibus, rationes tuas te video compensare cum istis doloribus, non memoriam corpore perceptarum voluptatum; sin autem ad animum, falsum est, quod negas animi 20 ullum esse gaudium quod non referatur ad corpus. Cur deinde Metrodori liberos commendas? quid *in* isto egregio tuo officio et tanta fide (sic enim existimo) ad corpus refers?

99 XXXI. Huc et illuc, Torquate, vos versetis licet, nihil in hac praeclara epistula scriptum ab Epicuro congruens et con- 25

5 rex: *rex si* B. 9 quo modo. *Beatus* sibi videtur: *quo modo sibi videtur* A; *quo modo sibi videbatur* B; corr. Madv. 16 nec gaudere: *ne gaudere* BE.
 22 *in* isto: *in* supplevit Madv.; *ex* Manutius; om. codd. 25 epistula scriptum: *scriptum epistola* B.

logical inconsistency in the sentence; cum...videret implies full consciousness, after which it is strange to have the words *ut primum dispexit*, 'as soon as he returned to consciousness,' which words obviously go with what follows.

3. evelli: cf. Fam. 5, 12, 5 in which passage mss. read *evelli* (corrected by Kayser from *this* passage). He is followed by edd. gen. incl. Mend. and C. F. W. Müller; Mend. qu. Wölfflin in Herm. xxii, 593.

7. gloriosa: 1, 37; de Div. 1, 51.

9. quo modo: for the ellipse cf. Tusc. 2, 43 utendum est igitur his. Quaeres fortasse quo modo. Abundant illustrations are given by Gutschke 'de interrogationibus obliquis apud Ciceronem.'

Halle, 1885. Madvig exposes the old reading *refert tamen quod sibi videtur esse morienti magna laus*. There is no connexion with context; and the words themselves are incapable of explanation. The older edd. had often explained *refert* as *dicat* or *exponit*, but as M. indicates that use is not older than Hor. and Livy.
 11. audio: often, as here, of willing listening.

12. quid...sit: n. on § 70.

14. inventa: philosophical discoveries (see § 96: De Orat. 1, 84 inventa philosophorum: Sen. ep. 64, 7 and Lucr. 5, 9).

17. praeteritis: a reference to γερονότων in the letter of Epic. (Diog. L. 10, 22).

20. quod negas: 'your denial that....'

24. vos versetis: so 5, 86.

veniens decretis eius reperietis. Ita redarguitur ipse a se, convincunturque scripta eius probitate ipsius ac moribus. Nam ista commendatio puerorum, memoria et caritas amicitiae, summorum officiorum in extremo spiritu conservatio indicat
 5 innatam esse homini probitatem gratuitam, non invitata[m] voluptatibus nec praemiorum mercedibus evocatam. Quod enim testimonium maius quaerimus, quae honesta et recta sint, ipsa esse optabilia per sese, cum videamus tanta officia morientis? Sed ut epistulam laudandam arbitror eam quam modo totidem
 10 fere verbis interpretatus sum, quamquam ea cum summa eius philosophia nullo modo congruebat, sic eiusdem testamentum non solum a philosophi gravitate, sed etiam ab ipsius sententia iudico discrepare. Scripsit enim et multis saepe verbis et breviter aperteque in eo libro, quem modo nominavi, mortem nihil ad
 15 nos pertinere. Quod enim dissolutum sit, id esse sine sensu, quod autem sine sensu sit, id nihil ad nos pertinere omnino. Hoc

- 1 redarguitur: *redarguetur* AB. 1 se: ita A; sese B. 10 ea: ei B.
 11 philosophia: ita B; *philosophi* A. 12 a: om. codd.; supplevit Manutius.
 13 et multis: *multis et* E. 13 breviter: *licenter* B. 14 aperteque: *apteque* A.
 15 quod enim: *quid enim* B.

1. *redarguitur*: this word and *refelatur* in the similar passage, § 81, are in favour of reading *convincuntur*, though I do not regard (with Madvig) the phrase *scripta vincuntur probitate*, 'his writings are overborne by his principles,' as impossible.

5. *innatam*: n. on 1, 31; cf. 4, 4.
invitata: cf. Cicero's word *invitamentum*; he does not use the similar words *incitamentum*, *inritamentum*.

6. *praemiorum*: defining gen.
mercedibus: Ovid, Pont. 2, 3, 12 non facile invenias multis e milibus unum | virtutem pretium qui putet esse sui: | ipse decor recte facti, si praemia desint | non movet et gratis paenitet esse probum; cf. ib. 35 sq. Sen. d. 7, 9, 4 [virtus] ipsa pretium sui; ben. 4, 1, 2 virtus gratuita (cf. in mercedem colant there); also 4, 1, 3.

7. *testimonium...ipsa esse*: cf. Du M. on Flacc. 30.

10. *interpretatus*: the verb often means 'to translate,' as below, 3, 35; Acad. 1, 8 Menippum imitati non interpretati.

summa philosophia: like *summa res publica*; cf. Rep. 2, 39 quae (centuria) ad summum usum urbis tignariis est data. In Cat. 4, 24 de summa salute vestra populi que Romani decernite

diligenter. *Summa philosophiae* (§ 86) would hardly be in place here.

13. *et multis*, etc.: for the form *et* A *BCque* see § 20.

14. *modo*: this word, like *nuper*, may cover considerable spaces of time; cf. e.g. Lael. §§ 6, 13, with my nn., also below, 5, 4; Off. 2, 75; Cato m. §§ 27, 61; Verr. 2, 4, 6; Liv. praef. 12 *nuper* divitiae avaritiam invexere; Sen. Rh. contr. 2, 4, 3, where *modo* covers the time between birth and maturity; Sen. de ira 2, 5, 5 *nuper* sub divo Augusto; id. ben. 4, 30, 2 (of Cinna); n. q. 7, 3, 2 and 7, 25, 3 and 5; ep. 49, 4; Lucr. 5, 334, 336.

mortem: see note on *mors* in 1, 40. The reference here is to κυρ. δ. 2 ὁ θάνατος οὐδὲν πρὸς ἡμᾶς· τὸ γὰρ διαλυθὲν ἀναισθητεῖ· τὸ δ' ἀναισθητοῦν οὐδὲν πρὸς ἡμᾶς. Usener gives on p. 395 a mass of references to passages where this doctrine is mentioned, and refers for others to Ménage on Diog. L. 10, 124 and Fabricius on Sextus, p. 185. Lucretius enlarges on the text at great length.

16. *hoc ipsum*, etc.: the criticism which Cicero makes here was also made by Plutarch (possibly drawing on the same Greek source) in a passage quoted by Gell. 2, 8: Plutarchus secundo librorum quos de Homero composuit, imperfecte

- ipsum elegantius poni meliusque potuit. Nam quod ita positum est, quod dissolutum sit, id esse sine sensu, id eius modi est ut
101 non satis plane dicat, quid sit dissolutum. Sed tamen intellego quid velit. Quaero autem quid sit quod, cum dissolutione, id est morte, sensus omnis exstinguatur, et cum reliqui nihil sit **5** omnino, quod pertineat ad nos, tam accurate tamque diligenter caveat et sanciat, ut Amynomachus et Timocrates, heredes sui, de Hermarchi sententia dent quod satis sit ad diem agendum natalem suum quotannis mense Gamelione, itemque omnibus
Birth day
Jan. 15 - July 15 mensibus vicesimo die lunae dent ad eorum epulas qui una **10** secum philosophati sint, ut et sui et Metrodori memoria colatur.
102 Haec ego non possum dicere non esse hominis quamvis et belli et humani, sapientis vero nullo modo, physici praesertim, quem

1 nam quod: *nam quid* B. 4 cum: *om.* BE. 7 sanciat: *sanciat* A; *sancitat* B. 7 Amynomachus: ita B et Crat.; *aminomachus* A et cod. Morel.; *antinomachus* codd. dett. 8 de: *ad* B. 11 sint: ita AB; *sunt* E. 11 ut et: *et ut* A.

atque praepostere atque inscite syllogismo esse usum Epicurum dicit verbaque ipsa Epicuri ponit (then follows *κυρ. δ. 2*); nam praetermisit, inquit, quod in prima parte sumere debuit *τὸν θάνατον εἶναι ψυχῆς καὶ σώματος διάλυσις*, tum deinde eodem ipso [unclassical combination of *idem* and *ipse*!] quod omiserat, quasi posito, concessoque ad confirmandum aliud utitur. Progredi autem hic, inquit, syllogismus nisi illo prius posito non potest. Gellius naturally treats the criticism as trivial, seeing that the severance of mind and body in death is obvious. But Madvig and other scholars before him have pointed out from a passage of Alex. Aphrod. on Arist. Top. 1, 7, that the criticism as it appeared in the Greek original was misunderstood by Cicero and Plutarch both; the objection brought was that Epicurus argued from the *διαλυθέν* which is *ἀνασθητόν* to the *διάλυσις* or process of dying. At one point Cicero and Plut. ap. Gell. are not in agreement; Cicero says that Epic. should have explained *quid sit dissolutum*, i.e. what he meant by the word *διαλυθέν*: whereas Plut. blames him for not defining *θάνατος*. Perhaps the Greek critic called for definitions both of *θάνατος* and of *διαλυθέν* or *διάλυσις*.

2. *id est*: see n. on 1, 72; 2, 6.

7. *caveat*: in his will, preserved by Diog. L. 10, 16 sq. (Usener, *fragm.* 217). Cicero has here abbreviated the passage. Aelian and Plutarch ap. Us. fr. § 218, quote as from the will provisions not contained in the copy given by Diog. L.;

and criticise Epic. for inconsistency as Cicero does here. According to Diog. L. 10, 118, Epic. held that the *σοφός* will not bestow a thought on his burial. See a singular comment qu. by Us. fr. § 578 from V.H.

8. *de...sententia*: *de* or *ex* senatus s.; but only *ex* senatus consulto; *ex* auctoritate sen. (not *de*, I think).

11. *sui...memoria*: it is quite possible that the mss. have changed here original *sua*, by assimilation with *Metrodori*; cf. n. on § 76.

12. *quamvis*: 'as nice as you please': Lael. 17.

13. *physici*: the title is often applied to Epic. by Cicero as above, 1, 19; Tusc. 1, 48; N.D. 1, 77 and 83; 2, 48. For references to other writers see Usener's *index*, s. v. *φυσικός*.

praesertim: cf. Lael. 15: a later writer would probably have used *notum* here.

quem se ille esse volt: this use of *velle*, 'to claim' or 'to pretend,' is common; but *esse* is usually omitted, as in 5, 13 Strato physicum se voluit; Div. 2, 118; Off. 2, 78; De Or. 2, 246; Top. 78; de opt. gen. or. 6 and 15; Phil. 2, 14 and 4, 6; Lucr. 5, 1120. Madvig gives these exx. and Phil. 2, 19 cupio me audacem; also Tusc. 5, 66 qui se hunc mathematicum malit, but *malit* there bears its usual sense, like *velit* above, Fin. 2, 33 integrum se salvomque velit. Cf. further Catull. 97, 9 se facit esse venustum; Catol. orig. 7 § 2 (Jordan) me nunc volo ius pontificium optime scire; Nep. Dion 1, 3 etsi Dionysi cru-

se ille esse volt, putare ullum esse cuiusquam diem natalem. Quid? idemne potest esse dies saepius, qui semel fuit? Certe non potest. An eiusdem modi? Ne id quidem, nisi multa annorum intercesserint milia, ut omnium siderum eodem unde profecta
5 sint fiat ad unum tempus *reversio*. Nullus est igitur cuiusquam dies natalis. 'At habetur!' Et ego id scilicet nesciebam! Sed ut sit, etiamne post mortem coletur? idque testamento cavebit is, qui nobis quasi oraculum ediderit nihil ad nos pertinere post mortem? Haec non erant eius, qui innumerabilis mundos in-
10 finitasque regiones, quarum nulla esset ora, nulla extremitas, mente peragravisset. Num quid tale *Democritus*? Vt alios *omittam*, hunc appello, quem ille unum secutus est. Quod si dies 103 notandus fuit, eumne potius, quo natus, an eum, quo sapiens

Magnus Annus

nb

1 putare: *putari* AB. 5 Nullus: *Nullius* E. 6 at habetur: *et habet* BE.
6 scilicet: om. A¹. 8 nobis: *vobis* E. 8 ad nos pertinere post mortem: ita A;
post mortem ad nos pertinere B. 10 ora: *hora* AB. 11 num quid: *num*
quod B. 11 ut: om. B. 12 quod si: *quid si* B. 13 eumne: *eumque* BE.

delitas ei displicebat, tamen salvom... studebat; Plaut. Curc. 335; and for the omission of *esse* such phrases as *integram (causam) servatam oportuit* in Acad. 2, 10, where see my n.

2. certe non potest: sc. *esse* cf. 4, 48.

5. *reversio*: Cicero is alluding to the old theory of the *magnus annus* or astronomical cycle, which appears in several dialogues of Plato, and was especially propounded by the Stoics; see Munro on Lucr. 1, 1029.

6. *habetur*: 'is deemed to exist.' I think that the simple phrase *habere natalem*, 'to keep a birthday,' for *agere* (§ 101) was not in use; though *habere diem* with an epithet attached (sense 'regard as') is found, as Virg. Aen. 5, 49 dies...quem semper acerbum | semper honoratum, sic di voluistis, habebo; Suet. Aug. 23 ut...diem cladis quotannis maestum habuerit ac lugubrem; Nep. Tim. 5, 1 diem natalem festum habere.

et ego: for *et* in retorts cf. Draeger, § 311, 13.

8. quasi oraculum: § 20 n.

9. *haec...peragravisset*: so strikingly like what Lucr. 1, 74, says of Epic.: 'extra | processit longe flammantia moenia mundi | atque omne immensum peragravit mente animoque,' that it is natural to suppose an imitation here. But the assertion about Epicurus may have been a commonplace in his school, and doubtless there were similar commonplaces in other schools: cf. Timon to Pyrrho ap. Sext. A.M. 1, 305 *μούνος*

δ' ἀνθρώποισι θεοῦ τρόπον ἡγεμονεύεις | δὲ περὶ πᾶσαν ἐλὼν (?ἀλὲς) γαῖαν ἀναστρέφεται | δεικνὺς εὐτόρῳ σφαῖρας περικαύτορα κύκλου (Mullach 1, p. 97): Sen. dial. 8, 5, 6 cogitatio nostra caeli munimenta perrumpit, and Horace's (od. 1, 28, 5) animoque rotundum percurrisse polum.

10. *nulla extremitas*: 1, 17 n.; Acad. 2, 116, with my note.

11. *Democritus*: for the ellipse cf. 2, 17.

12. *quem...unum*: 1, 21 n.

13. *eumne*: a rare instance of a verb like *oportuit* being supplied from the gerundive; so Lael. 74 omnino amicitiae corroboratis iam confirmatisque et ingeniis et aetatibus iudicandae sunt, nec si qui ineunte aetate venandi aut pilae studiosi fuerunt, eos habere necessarios, quos tum eodem studio praeditos dilexerunt. Madvig also qu. Quint. 4, 5, 20 quaedam interim nos et invititis litigatoribus simulandum est dicere...non numquam quasi interpellamur ab eis subsistere; saepe avertenda ad ipsos oratio est ('nam *subsistere* nos non simulamus, sed vere subsistentes simulamus nos interpellari'); Cic. Inv. 2, 130, where after *erit dicendum* comes *deinde inducere* (sc. *oportebit*, which many edd. needlessly inserted); Varro r. r. 3, 9, 8 in cubilibus, cum parturient, acus substernendum; cum pepererunt, tollere substramen; Cels. 3, 7, 1. Madvig also notes that after the verbal in *-ρέον* the infin. sometimes follows as though *δεῖ* had been written. [Liv. 26, 32, 2 qu. by

factus est? Non potuit, inquires, fieri sapiens nisi natus esset. Isto modo, ne si avia quidem eius nata non esset. Res tota, Torquate, non doctorum hominū, velle post mortem epulis celebrari memoriam sui nominis. Quos quidem dies quem ad modum agatis et in quantam hominum facetorum urbanitatem 5 incurratis, non dico (nihil opus est litibus); tantum dico, magis fuisse vestrum agere Epicuri diem natalem, quam illius testamento cavere ut ageretur.

End of 104
discussion

XXXII. Sed ut ad propositum (de dolore enim cum diceremus, ad istam epistolam delati sumus), nunc totum illud concludi sic 10 licet: Qui in summo malo est, is tum, cum in eo est, non est beatus; sapiens autem semper beatus est et est aliquando in dolore; non est igitur summum malum dolor. Iam illud quale tandem est, bona praeterita non effluere sapienti, mala meminisse non oportere? Primum in nostrane est potestate quid meminerimus? 15 Themistocles quidem, cum ei Simonides an quis alius artem memoriae polliceretur, 'Oblivionis,' inquit, 'mallem. Nam 105 memini etiam quae nolo, oblivisci non possum quae volo.' Magno hic ingenio, sed res se tamen sic habet, ut nimis imperiosi philosophi sit vetare meminisse. Vide ne ista sint Manliana vestra 20 aut maiora etiam, si imperes, quod facere non possim. Quid,

Stoic

1 esset. Isto: *esset*, et isto codd.; corr. Manutius. 6 incurratis: *incurrat* E. 9 Post *propositum* add. *revertamur* codd. dett. *revertamur*: om. AB. 10 delati: *dilati* E. 11 is tum: *istum* A¹; *iste* A²B. 15 est potestate: ita A; *potestate est* B. 15 quid: *quod* B. 21 possum: *possum* BE.

M. is not to the point; *gerendum fuisse* is dependent on *censerent*, and is followed by *urbem recipi* only because *censeo* takes both these constructions; see Weissenborn *ad loc.*

2. *isto modo*: so § 23; Sen. d. 3, 13, 3 bis; ib. 14, 1; ben. 6, 15, 1; ib. 3, 30, 1. *res tota*: est omitted 1, 3 n.

3. *velle...celebrari*: cf. 2, 86 esse beatum.

5. *facetorum urbanitatem*: 1, 39 *facete et urbane*; for *urbanitas*, polished wit ('*παραειρημένη ὕβρις*'), see 1, 7.

9. *ut ad propositum*: sc. *revertamur*; the ellipse falls quite within the boundaries of Cicero's usage; Madv. in addenda to ed. 3, qu. Att. 2, 6, 2 sed ut ad rem; Sen. ben. 4, 40, 5 et ut breviter; C. F. W. Müller adds Val. M. 3, 1 ext., 1 et ut a Graecis aliquid; a subj. which should follow *ut* is sometimes omitted in other circumstances, as Att. 6, 2, 8.

13. *quale*: n. on 2, 86.

14. *non effluere*: 1, 1; *effluere*=*effl. e memoria*, 1, 41 and elsewhere. So *excidere* often.

15. *quid mem.*: for the indirect constr. see 1, 16.

16. *an quis alius*: as Madvig says, this form has come out of a parenthetic direct question (*an quis alius?*). He condemns *uno an altero* for *un. aut alt.* in Rep. 1, 18; also ib. 2, 28 an certe Pythagoreum (because *certe* is incompatible with this form of doubtful suggestion); in both places edd. now read *aut*, but perhaps in the former *et* is right.

artem memoriae: cf. 5, 2 *memoriae disciplina*: and my nn. on Acad. 2, 2.

18. *magno hic ingenio*: sc. either *erat* or *hoc dixit*; for the ellipse see 1, 3; 1, 18 and often.

19. *sed...tamen*: 'but apart from that'; 2, 42; 3, 31.

20. *Manliana*: n. on § 60.

si etiam iucunda memoria est praeteritorum malorum? ut proverbialia non nulla veriora sint quam vestra dogmata. Volgo enim dicitur: 'Iucundi acti labores,' nec male Euripides (concludam, si potero, Latine; Graecum enim hunc versum nostis omnes):

5 Suavis laborum est praeteritorum memoria.

Sed ad bona praeterita redeamus. Quae si a vobis talia dicerentur, qualibus C. Marius uti poterat, ut expulsus, egens, in palude demersus, tropaeorum recordatione levaret dolorem suum, audirem et plane probarem. Nec enim absolvi beata vita sapientis neque ad exitum perducere poterit, si prima quaeque bene ab eo consulta atque facta ipsius oblivione obruentur. Sed 106 vobis voluptatum perceptarum recordatio vitam beatam facit, et quidem corpore perceptarum. Nam si quae sunt aliae, falsum est omnis animi voluptates esse e corporis societate. Corporis 15 autem voluptas si etiam praeterita delectat, non intellego cur Aristoteles Sardanapalli epigramma tanto opere derideat, in

3 iucundi: *iucunde* A; *iocunde* B. 4 nostis: om. BE. 5 est praeteritorum memoria: *memoria est praeteritorum* B. 7 C.; *gaius* A; *graius* B. 8 demersus: *dimersus* A. 11 obruentur: *obruerentur* ABE. 14 animi voluptates: *voluptas animi* BE. 14 e: om. B. 16 tanto opere: *ita* B; *tantopere* AE.

2. dogmata: n. on 2, 28.

3. iucundi acti labores: for the omission of the verb in proverbial phrases cf. 1, 15 quot homines, tot sententiae; 2, 52 quicum in tenebris; 3, 16 fortuna fortis.

Euripides: Andromeda ἀλλ' ἤδύ τοι σωθέντα μνησθαι πόνων. Nauck, p. 399.

concludam: 'numeris, ut Horatius *concludere versum* dixit' (Madvig). Cicero uses *conficere* of verse in Acad. 2, 22; but *concludere* is freely applied to 'rounding off' other things, as arguments and periods. Hor. s. 1, 10, 59 pedibus quid claudere senis; Quint. 9, 4, 123 sensus numeris conclusus.

4. si potero, Latine: so Tusc. 1, 15 dicam, si potero, Latine; Rep. 1, 65.

nostis omnes: as only Torquatus and Triarius are present (1, 13), *omnes* is strange; and moreover elsewhere Cicero addresses Torquatus alone. It is highly probable that *nostis* should be read.

5. suavis...memoria: V. Aen. 1, 203 forsan et haec olim meminisse iuvabit; Cic. fam. 5, 12, 4 habet enim praeteriti doloris secunda recordatio delectationem; Sidon. Ap. 5, 582 post gaudia...delectat meminisse mali.

7. egens: on the strength of this and similar passages Landgraf in Archiv

7, 275, ingeniously but improbably argues that there was a word *ēgens* (*exgens* like *extorris*, etc.), as well as *ēgens*. Why did the poets avoid so convenient a word? Cf. Landgr. on Rosc. § 23.

10. prima quaeque...consulta: 'all his good purposes in succession.' This use of *primus quisque* is widely spread in Latin; Lucret. has *primum quidquid*.

14. animi...societate: see 1, 55.

16. Aristoteles: in Tusc. 5, 101 A. is quoted as saying that the epitaph befitted an ox rather than a king. There is reference to Sardanapallus in the extant writings of Arist. (Eth. N. 1, 5, 3) but nothing corresponding with Cicero's quotation. Athen. p. 335 f also refers to Aristotle's saying, but somewhat differently; he does not quote Aristotle directly, but at second hand through Chrysippus.

Sardanapalli: for the references in ancient literature generally to this mythical Assyrian (or Persian) monarch see Pauly, Realenc. s. v. Sardanapallus (name given to Elagabalus Dio Cass. 80, 2 and 78, 22). Two stories were current about the inscription on his tomb:

(A) A fragment of Aristobolus ap. Athen. 12, 530 f, mentions a tomb at



Ramsay

quo ille rex Syriae gloriatur omnis se secum libidinum voluptates abstulisse. Quod enim ne vivōs quidem, inquit, diutius sentire

1 omnis se: *omnis* A; *se omnes* B; corr. Baiter.
abstulisse: ita A; *abstulisse libidinum voluptates* B.
poterat: 'haec verba in A vix legi possunt' (Baiter).

1 libidinum voluptates
2 inquit, diutius sentire

the town of Anchiala near Tarsus, with the figure of the King upon it making a gesture of contempt with the fingers; and the inscription ran: 'Σαρδανάπαλλος ὁ Ἀνακυνδαραξέω παῖς Ἀγχιάλῃν καὶ Τάρσον ἔδειμεν ἡμερῇ μῆνι. ἔσθιε πῖνε παῖζε. ὡς τὰλλα τούτου οὐκ ἄξια τοῦ ἀποκροτήματος.' Niese in a Marburg progr. (1880) makes it clear, (1) that Arrian, *Anab.* 2, 5, copied Aristobulus with variations, (2) that Aristobulus drew his information from Callisthenes, (3) that the story must be traced back to an Ionic writer older still, possibly Hellanicus. Plut. *de virt.* Al. 2, c. 3 substitutes ἀφροδισιάζε for παῖζε, and Apollodorus, quoted by Schol. on Arist. *Aves* 1021, gives ὄχευε. The words ἔσθιε πῖνε παῖζε became proverbial; cf. *es bibes lude* qu. in n. on 2, 23 adhibentes ludos, and St Paul in *Cor.* 1, 13, 32.

(B) Another tale was that the tomb of S. was at Nineveh and that an oriental inscription was on it which was rendered into Greek verse by Choerilus of Samos. The fullest report of the version is given by Athen. p. 336 from Chrysippus: 'εὐ εἰδὼς ὅτι θνητὸς ἔφυς σὺν θυμὸν ἄεξε | τερπόμενος θαλίῃν· θανόντι τοι οὗτος ὄνησις. | καὶ γὰρ ἐγὼ σποδὸς εἰμι Νίνου μεγάλης βασιλεύσας. | κεῖν' ἔχω δὸς' ἔφαγον καὶ ἐφύβρισα καὶ σὺν ἔρωτι | τέρπν' ἔπαθον· τὰ δὲ πολλὰ καὶ ὀλβια πάντα λέλυνται (some other authorities give λέλειπται) | ἥδε σοφὴ βίότιο παραίνεσις, οὐδέ ποτ' αὐτῆς | λήσσαι. ἐκτῆσθω δ' ὁ θέλων τὸν ἀπείρονα χρυσόν.' | Ll. 3, 4 are quoted and imitated in scores of extant passages. [The two tales were sometimes confused, as by Strabo 14, 5, 9 (Mein.), Phoenix of Colophon ap. Athen. p. 530 refers the metrical inscription to Ninus; see the curious fragment. He must have had a version in some respects different.] Cicero renders these two lines thus in *Tusc.* 5, 101: haec habeo quae edi quaeque exsaturata libido | hausit: at illa iacent multa et praeclara relicta. Compare a curious passage in Sen. *ben.* 6, 3, 1 egregie mihi videtur M. Antonius apud Rabirium poetam, cum fortunam transeuntem alio videat et sibi nihil relictum praeter ius mortis, id quoque si cito occupaverit, exclamare 'hoc

habeo quodcumque dedi,' clearly an imitation of the form of the Sardanapallus epitaph. [The context in Seneca seems to show that *dedit* is right.] Diog. L. 6, 86 quotes an imitation of the epitaph by Crates: 'τοῦτ' ἔχω δὸς' ἔμαθον καὶ ἐφρόντισα καὶ μετὰ Μουσῶν | σέμν' ἐδάην· τὰ δὲ πολλὰ καὶ ὀλβια τύφος ἔμαρψε': cf. Plut. *quomodo quis*, etc. c. 17, 546 A; also the fragment of Alexis' Ἀσπασιοδιδάσκαλος qu. by Athen. 336 f from Chrysippus: 'ἔξεις δ' ὸς' ἂν φάγῃς τε καὶ πῖνῃς μόνα.' Echoes are found on Roman tombstones; so C.I.L. 6, 18131 quod edi bibi mecum habeo, quod reliqui perdidit; ib. 9, 2114 dum vixi, vixi quo modo decet ingenuum, quod comedi et ebibi, tantum mea est (Bücheler, *Carm. ep. n.* 187). Allusions to Sardanapallus are innumerable; he is often mentioned in criticisms of Epicurus; see e.g. Usener, *fragm.* 414, 443*; and Vol. *Hero. ap. Scott*, p. 91. Many references in Mayor on *Juven.* 10, 362; Sonny in *Archiv*, 8, 491. It is quite possible that Lucilius had S. in mind when he wrote (30, 3 Müll.) 'et sua perciperet retro relicta iacere'; *sua* (cf. *mea* qu. just above) the things that properly belong to a man. Cf. C.I.L. 9, 4756 spes et fortuna valet nil iam plus in me vobis per saecula licebit quod fuerat vestrum amisi, quod erat meum, hic est. Cicero alludes in *Att.* 10, 8, 7 Sardanapalli vicem mori, to the legends about the last debauch of S.; and in *Rep.* 3, *fragm.* 4 S. ille vitiis multo quam nomine ipso deformior, he compares the name with σαρδανόφαλλοι, a title for buffoons.

2. *abstulisse*: the dead were often spoken of as having carried away with them the things of life; Petron. 43 (of a man just dead) quot putas illum annos secum tulisse? C.I.L. 6, 12845 (Bücheler, 387) quadraginta duo mecum fero flebilis annos; ib. 5254 (B. 86) nullum dolorem ad inferos mecum tuli; cf. B. 420; Luc. 10, 43 qui secum invidia quae totum ceperat orbem | abstulit imperium (of Alexander); Suet. Aug. 28 moriens ut spem feram mecum. C.I.L. 14, 3945 (B. 366) si quid mortui habent hoc meum erit, cetera liqui. See the Epitaph qu. in Gibbon, ed. Bury, 6, 452. In Parker's ABC of Gothic Arch. there

poterat, quam dum fruebatur, quo modo id potuit mortuo permanere? Fluit igitur voluptas corporis et prima quaeque avolat saepiusque relinquit causam paenitendi quam recordandi. Itaque beator Africanus cum patria illo modo loquens:

5 Desine, Roma, tuos hostis....

reliquaque praeclare:

Nam tibi moenimenta mei peperere labores.

Laboribus hic praeteritis gaudet, tu iubes voluptatibus, et hic se ad ea revocat, e quibus nihil unquam rettulerit ad corpus, 10 tu totus haeres in corpore.

XXXIII. Illud autem ipsum qui obtineri potest, quod dicitis, 107

omnis animi et voluptates et dolores ad corporis voluptates ac dolores pertinere? Nihilne te delectat umquam (video quicum loquar), te igitur, Torquate, ipsum per se nihil delectat? Omitto 15 dignitatem, honestatem, speciem ipsam virtutum, de quibus ante dictum est, haec leviora ponam: poema, orationem cum aut scribis aut legis, cum omnium factorum, cum regionum

Higher
Conception

1 poterat: potuit B. 1 potuit mortuo: ita A; mortuo potuit B. 2 fluit: om. BE. 3 paenitendi: penitendi BE. 7 nam: ita E; namque AB. 7 moenimenta: monimenta AE; monumenta B; corr. Klotz. 7 peperere: repperere A. 9 nihil: om. B. 9 rettulerit: retulerit AB. 12 ad corporis voluptates ac dolores: om. B. 13 nihilne te: ita A; nihil tene B. 16 ante: antea B. 16 ponam: poema: poema ponam AB. 16 cum aut: aut cum B. 17 cum regionum: aut regionum B.

is a quotation from Anthony à Wood describing the gateway tower of the Schools at Oxford, in which is the effigy of King James I on the throne giving with his right hand to *Fame* a book, with the inscription on the cover: *haec habeo quae scripsi*; while with his left he hands a vol. to the effigy of the University with the inscription on the cover: *haec habeo quae dedi*.

inquit: sc. Aristoteles; cf. Tusc. 5, 101 (quoted from A.) haec habere se mortuom dicit, quae ne vivos quidem diutius habebat quam fruebatur.

3. paenitendi: Tusc. 4, 79; Acad. fragm. 16. Cic. does not use *paenitentia*.

5. desine, Roma: almost certainly from Ennius; quoted also in De-Or. 3, 167 with another small fragment 'testes sunt Campi magni.' His poem entitled 'Scipio' was probably written in trochaic tetrameters. Madvig refers desine etc. to the Annales along with the complete hexameter which follows; Vahlen considers all three quotations to belong to the Satirae.

6. reliquaue: 1, 12 n.

9. rettulerit: Madvig explains the subjunctive by attributing adversative force to quibus. 'Rarius hoc est in eiusmodi sententia relativa, quae simul generis definitionem contineat (ea, e quibus); sed tamen similiter, § 102: cavebit is qui nobis quasi oraculum ediderit cet.; Act. I in Verr. 11 eum, cui legatus fuisset, in invidiam adduxit. The class-definition would however be by itself sufficient reason here for the subjunctive, and the adversative notion is not very appropriate to the circumstances. Another explanation is possible, that there is or. obl. 'of which, as he reminds himself.'

14. igitur: resumptive: n. on 2, 23.

15. speciem...: 'the mere fair aspect of the virtues'; Lucr. 1, 148 naturae species ratioque; above § 49 honestum ...specie laudabile.

16. leviora: cf. Brut. 3 leviorum artium and 70 minora; Cato m. 50; De Or. 1, 212.

poema, etc.: there is anacoluthon,

conquiris historiam, signum, tabula, locus amoenus, ludi, venatio, villa Luculli (nam si 'tuam' dicerem, latebram haberes; ad corpus diceres pertinere), sed ea quae dixi, ad corpusne refers? an est aliquid, quod te sua sponte delectet? Aut pertinacissimus fueris, si perstiteris ad corpus ea quae dixi referre, aut deserueris totam

108 Epicuri voluptatem, si negaveris. Quod vero a te disputatum est maiores esse voluptates et dolores animi quam corporis, quia trium temporum particeps animus sit, corpore autem praesentia solum sentiantur, qui id probari potest ut is, qui propter me aliquid gaudeat, plus quam ego ipse gaudeat? [Animo voluptas 10 oritur propter voluptatem corporis, et maior est animi voluptas quam corporis. Ita fit, ut gratulator laetior sit quam is, cui gratulatur.] Sed, dum efficere vultis beatum sapientem, cum maximas animo voluptates percipiat omnibusque partibus maiores quam corpore, quid occurrat non videtis. Animi enim 15

1 amoenus: *amēnus* AB. 1 venatio: *venaciones* B. 2 Luculli: *lucilli* ABE. 3 diceret: *dicere* E. 5 si perstiteris...referre: ita B; *si hi* (vel *in*) *perstiteris*... *referre* A. 5 quae: om. B. 6 vero: om. E. 9 qui id: ita B; *quid* A; *quid id* E. 10 plus quam ego ipse gaudeat: om. AB. 10 [animo...gratulatur]: haec verba spuria esse vidit Bremius. 15 maiores: *maioris* ABE. 15 quid: *quod* B.

caused by the interposition of the parenthesis *nam si...pertinere*; the sentence takes a fresh start with the words *sed ea* (n. on Acad. 1, 41). Cf. below, 3, 11 n.; Madvig qu. Tusc. 2, 16; 3, 16 and Att. 15, 3, 1. *Poema* like *orationem* depends on *scribis, legis*. Cf. the *inscr.* of Oinoanda, that we should do good to future generations by teaching them Epicureanism (Bull. de Corr. Hell. xxi, pp. 402-4).

1. *historiam*: 1, 25.

venatio: 'wild beast fights,' 1, 69 n.: Off. 2, 55. In 2, 23 above it means 'game.'

4. *pertinacissimus*: cf. 3, 1.

5. *perstiteris...referre*: in the four other exx. of *persto* given by Merguet, it is followed by *in* and *abl.*; the *infin.* is found elsewhere only in verse and later prose. The *infin.* with *insto* or *insisto* is found in Verr. 2, 3, 136; Fam. 10, 16, 1; and in poetry and later prose.

6. *quod vero*, etc.: Cicero here refers to two distinct portions of the speech of Torquatus (§§ 55 and 66 sq.). Torquatus nowhere contended that friendship would lead a man to take more joy in his friends' delight than the friend himself would feel. The contention of T. merely was that 'laetatur amicorum laetitia aequae atque nostrae' (§ 67). Moreover T. did not connect his doc-

trine of friendship with his statement about mental pleasure; Cicero here makes the doctrine about friendship a direct consequence of the view about mental pleasure. The authority for the words *plus...gaudeat* is not strong, and Cicero may have written *aeque atque*, not *plus quam*. [Cf. Tusc. 3, 72 quasi fieri ullo modo possit quod in amatorio sermone dici solet, ut quisquam plus alterum diligat quam se.] Perhaps *aut* has fallen out before *ut is*; for the clause *ut* cf. 2, 6.

10. *animo...gratulatur*: the words are so obviously a figment, that they are not worth discussion. Madvig gives other exx. of this kind of addition to the text of Cicero.

14. *omnibus partibus*: an intensification of *multis partibus*; so 5, 93; Inv. 1, 58; Caes. B.G. 5, 15, 1. The phrase means 'infinitely,' as *multis partibus* is 'many times over.' The renderings sometimes given, 'in all respects,' 'in many respects' are erroneous; see C. F. W. Müller's n. on Seyffert's ed. of Lael. § 47. Madvig qu. Off. 3, 35 *omni pondere gravior*.

15. *quid occurrat*: 'what cuts across your path'; cf. Acad. 2, 44 *occurratur*, sicut occursum est; Fin. 1, 19 n.

animi enim dolores quoque: Madvig

dolores quoque percipiet omnibus partibus maiores quam corporis. Ita miser sit aliquando necesse est is, quem vos beatum semper vultis esse, nec vero id, dum omnia ad voluptatem doloremque referetis, efficietis umquam. Quare aliud

5 aliquod, Torquate, hominis summum bonum reperiendum est, voluptatem bestiis concedamus, quibus vos de summo bono testibus uti soletis. Quid si etiam bestiae multa faciunt duce sua

1 dolores quoque: *quoque dolores* codd.; corr. Madv. 4 referetis: *refertis* BE.
5 aliquod: *aliquid* codd.; corr. Lambinus.

brings three objections against the reading of the mss., (1) the contrast is between *voluptates* and *dolores*, therefore *quoque* should go with the latter word; (2) *quoque* adheres so closely to the word which it emphasises that it cannot be sundered from that word by a particle like *enim*; thus at least *animi quoque enim* should have been written; (3) he cannot recall a passage in Cicero where *quoque* and *enim* are in juxtaposition, though there are many exx. in Livy, and he gives two from Varro L. L. 5, p. 30 Bip. and 9, p. 130; to which C. F. W. Müller adds r. r. 1, 23, 2 and 2, pr. 5; also Gell. 10, 7, 2 (from Varro); also his own text of *Acad.* 1, 26 (but this is doubtful, see the nn. in my ed.). Müller combats the idea that *quoque* must of necessity in Cicero bear on the word immediately preceding, citing Fin. 3, 15 si enim Zenoni licuit, cum rem aliquam invenisset inusitatam, inaudium quoque ei rei nomen imponere, cur non liceat Catoni; *quoque* constantly between epithet and noun—here the advent of the noun is delayed; for the contrast is between *rem* and *nomen*, but *inaudium* is forced to the head of the clause in order to bring it close to *inusitatam*, and *quoque* tends likewise to the beginning of clauses. Also the very similar passage, Tusc. 4, 31 viribus corporis et nervis et efficacitati similes similibus quoque verbis animi vires nominantur (so edd. generally with Manut. for *similibusque*); and *div. Caec.* 8. Müller adds that the prominence of *animi* and *corporis* here would easily mislead Cicero into emphasising *animi* by the attachment of *quoque*. Madvig truly says that the copyists have sometimes shifted *quoque* (and he might have added, other particles) into intolerable positions; and he refers to his own Opusc. 1, 181 and Wesenberg Em. p. 36. A difficult *quoque* in S. Rosc. 40, where Landgr. and Luterb. assume *brevis*; ib. 93, on which cf. Madv. l.c.

(nonote in Landgr.). Tusc. 1, 79 nihil esse quod doleat quod non aegrum esse quoque possit (where *aegrum esse* form one notion). Fam. 9, 17, 1 seems to give an ex. of *quoque* not belonging to any particular word. *Quoque* seems to precede where it ought to follow, Liv. 10, 14, 9. Draeg. Synt. Tac. 229. Madv. Adv. 11, 508 corrects Sen. ep. 109, 4 malus malo nocet; facit quoque peiorem, iram, metus incitando ('prave ponitur *quoque* et loco et quod nihil novi additur'—but these reasons seem questionable; *nocere* and *peiorem facere* are certainly not identical notions). Also Curt. 5, 2, 19 (ib. p. 532). Verr. 4, 29 cum abs te appellatus esset, negasse habere sese: apud alium quoque eas habuisse depositas ne qua invenirentur. Thomas remarks, '*quoque* contre l'ordinaire tombe ici sur toute la proposition, apud...habuisse depositas, qui correspond à *negasse*,' but quotes no parallels. [Exx. of *quoque* elliptic in Ad Her. 1, 14 ante *quoque*; 2, 6; a curious irregular ex. in 2, 1, 1; also 2, 21, 33; in 3, 14, 25 there is a strange opposition between adaucto sono vocis and verbis continuandis vocem *quoque* augere. *Quoque* refers to a whole proposition in Verr. act. pr. 21; 2, 171; Div. Caec. 8 (qu. by M.); 2, 100 (practically); Leg. agr. 2, 67 hoc *quoque* Quirites; see C. F. W. Müller.] Quinct. 14 summus honos quoque where s. q. h. would be natural. Nep. Ages. 6, 2 se id *quoque* for *se quoque id* (altered in Nipperdey-Lupus). In Tusc. 5, 3 *quoque* contrasts *animos* with *corpora*.

3. *vultis esse*: cf. 1, 29; 2, 65, 75.

nec vero, etc.: 1, 19 eripuit...nec tamen assecutus est.

4. *aliud aliquod*: see Madv. on 1, 18; the apposition between *aliquid* and *summum bonum* here would be strange; so in Clu. 184.

6. *bestiis...testibus*: see n. on 2, 32.

7. *quid si etiam*, etc.: the difficulties of this passage have been much discussed

quaeque natura partim diligenter vel cum labore, ut in gignendo, in educando, perfacile appareat aliud quiddam eis propositum, non voluptatem? partim cursu et peragratione laetantur, congregatione aliae coetum quodam modo civitatis
 110 imitantur; videmus in quodam volucrum genere non nulla 5 indicia pietatis, cognitionem, memoriam, in multis etiam desideria videmus. Ergo in bestiis erunt secreta a voluptate humanarum quaedam simulacra virtutum, in ipsis hominibus virtus nisi voluptatis causa nulla erit? et homini, qui ceteris animantibus plurimum praestat, praecipui a natura nihil datum esse dicemus? 10

1 quaeque: quaque AB. 1 diligenter: ego conieci; indulgenter codd.; vide comm. 4 coetum: cetum A; tecum BE. 5 volucrum, Charisius (146, 28); volucrum A; voluerunt B. 6 indicia: iudicia BE. 7 ergo: erunt E. 10 praecipui: praecipue AB; praecipuum alii codd.; corr. Manutius. 10 datum esse dicemus: esse dicemus datum B.

from early times. The sense would have been clearer had Cicero written after *natura* words such as *quae ostendunt eas non suam voluptatem sequi*; there closing the sentence, and introducing in a fresh sentence the subdivision of the *nulla* into classes. Then the words *partim cursu et peragratione laetantur* are wholly out of keeping with the argument; they really play into Torquatus' hands. Although I do not venture confidently to condemn this clause as due to marginal annotation, I think it highly suspicious. Cicero often substitutes *partim...alii* for *partim, partim* (as Div. 1, 93; Rep. 4, 3; Lael. 45 and elsewhere), and the questionable clause may be due to some copyist who thought that a second *partim* was needed. The extraordinary readings *cicures et, turtures et* in some inferior mss. indicate that the whole clause may have been suggested by Tusc. 5, 38 earum ipsarum (bestiarum) partim solivagas, partim congregatas, immanis alias, quasdam autem cicures, and that the insertion has survived only in corrupted forms, different corruptions appearing in different types of mss.; *turtures* I take to be a correction of *cicures*. Madvig supposes it to have been suggested by *volucrum*. Then *indulgenter* can hardly be right. For the point of the argument mention is not needed of the indulgence shown by creatures to their offspring; the word would only express remotely and indirectly the *disinterestedness* of the affection. Moreover, the *toil* expended as opposed to *pleasure* should be brought to the front. I therefore read *diligenter*; *in* has come from *-im*; *vel cum labore* is a strengthening of

diligenter, 'with close application or rather toil.' [The em. of C. F. W. Müller adding *ut* before *appareat* is not worth making.]

1. *ut in gignendo*, etc.: cf. Ar. Eth. N. 8, 1, 3 (1155 a, 20) and Lael. 27, 81.

3. *peragratione*: a rare word occurring in Cicero only here and Phil. 2, 57 *p. itinerum*. As Madvig says, *peragraré* regularly takes acc. and one would expect with the subst. a definition of the places traversed; but *peragraré* is used absolutely in Mil. 98, and *lustratio* is similarly employed in Tusc. 5, 79; N.D. 1, 87. Madvig is right in saying that the reference here is not to the transmigration of animals, but to their dispersion 'sine coetu.'

5 *volucrum*: see Neue-Wagener 1, 398. It is strange that birds should be here mentioned rather than animals, in which these indications are more clearly seen. With the mention of birds *etiam* was to be expected; cf. Plin. n. h. 10, 207 quid? non et adfectus indicia sunt etiam in serpentibus? That *genere* should be put where *generibus* would be more accurate, is comparatively unimportant.

6. *cognitionem, memoriam*: these two words seem to go closely together; the reference is to the power animals have of remembering and recognising again after a lapse of time, those of their own race with whom they have had to do. The parallel passages in Tusc. 5, 38 and Lael. 81 show that there is no reference to the recognition of human beings, as Madvig supposed. For *cognitionem* cf. § 82 *cognoscere* with note.

7. *erunt...nulla erit?* n. to 2, 13.

10. *praecipui*: cf. Tusc. 5, 38 ut bestiis aliud alii praecipui a natura datum est,

XXXIV. Nos vero, siquidem in voluptate sunt omnia, longe
multumque superamur a bestiis, quibus ipsa terra fundit ex sese
pastus varios atque abundantes nihil laborantibus, nobis autem
aut vix aut ne vix quidem suppetunt multo labore quaerentibus.
5 Nec tamen ullo modo summum pecudis bonum et hominis idem
mihi videri potest. Quid enim tanto opus est instrumento in
optimis artibus comparandis? quid tanto concursu honestissi-
morum studiorum, tanto virtutum comitatu, si ea nullam ad
aliam rem nisi ad voluptatem conquiruntur? Vt, si Xerxes, cum
10 tantis classibus tantisque equestribus et pedestribus copiis
Hellesponto iuncto, Athone perfosso maria ambulavisset, terram

2 superamur: *separamur* E. 2 fundit ex sese: *ex sese fundit* BE. 3 abun-
dantes: *habundantibus* B. 4 multo labore: *labore multo* E; *labores multo* B.
7 quid: *qui* B. 8 si: *sed* E. 8 nullam: *iam non* B. 9 si Xerxes: *si*
exerses BE. 11 Athone: ita B; *athione* A.

quod suum quaeque retinet, nec dis-
cedit ab eo, sic homini multo quiddam
praestantius; Div. 2, 121 non video
quid praecipui somnus habeat; above,
§ 33 sunt et in animo praecipua quae-
dam et in corpore.

1. **longe multumque:** § 68 longe lon-
gue.

2. **ipsa:** 'unbidden,' *αὐτομάτη*.

3. **abundantes:** the abl. accompanies
this word in Cicero far oftener than not;
Stöcklein in Archiv, 7, 418.

4. **vix aut ne v. qu.:** so 4, 32; Amm.
M. 17, 4, 15; Cic. N.D. 2, 20 aut vix aut
nullo modo; Fam. 9, 8, 2 cum his ipsis
vix, his autem detractis ne vix quidem;
Att. 3, 23, 2 Clodium sanxisse ut vix aut
omnino non posset...infirmari sua lex.

5. **neq. tamen, etc.:** see 4, 2; 4, 51.
pecudis bonum: 2 § 18 n.

9. **nisi ad:** cf. 4, 47 nisi in.

si, etc., the main sentence *si Xerxes...*
diceret...videretur, is complicated by
the addition to its protasis of the *cum*-
clauses, and the addition of a second
protasis *si...quaereret*, also extended by
the attachment of a *cum*-clause. For
the two protases cf. 1, 7 n. Was Cicero
thinking here of the symbolic gifts
which were an acknowledgment of
conquest? See *herbam* do in Corp.
Gloss. 6, 517 and reff.; and Archiv 6,
398.

11. **maria ambulavisset, terram navi-
gasset:** cf. *Isocr. Pan.* § 89 ὥστε τῷ
στρατοπέδῳ πλεῖναι μὲν διὰ τῆς ἡπείρου,
πεζεῦσαι δὲ διὰ τῆς θαλάττης, τὸν μὲν
Ἑλλήσποντον ζεύξας, τὸν δ' Ἄθω διوریξας
(qu. by Ar. Rh. 3, 9 as a specimen of
antithetic style); [Lys.] Epitaph. § 29 ὁδὸν

μὲν διὰ τῆς θαλάσσης ἐποιήσατο, πλοῦν
δὲ διὰ τῆς γῆς. Iwan-Müller in an
Erlangen progr. (1870) quotes *Lucian*,
Rhet. praec. § 18 αἰεὶ ὁ Ἄθως πλείσθω
καὶ ὁ Ἑλλήσποντος πεζεῦεσθω καὶ ὁ ἥλιος
ὑπὸ τῶν Μηδικῶν βελῶν σκεπέσθω: Dio
Chrys. 3 §§ 30, 31 εἰ βούλοιο πεζεῦεσθαι
μὲν τὴν θάλασσαν, πλείεσθαι δὲ τὰ ὄρη,
τοὺς δὲ ποταμοὺς ἐκλείπειν ὑπὸ ἀνθρώπων
πινομένων: Philost. Imag. 1, 8 (of Posei-
don) πεζεῖν οὐκ τὴν θάλασσαν: Himerius
Or. 2, 25 τῆς δὲ (sc. γῆς) πλέων τὴν
φύσιν ἡμῖν, τῆς δὲ (θαλάσσης) πεζεῖν
τὴν χρεῖαν ἡγεῖται: Greg. Naz. Or. 18,
p. 279 c Χριστὸν...ὃς πεζεῖ πελάγος:
Lycophr. Cass. 1414 ἄλλ' ἀντὶ πάντων
Περσέως ἕνα σπορᾶς | στελεῖ γίγαντα
τῷ θάλασσα μὲν βατὴ | πεζῷ ποτ' ἔσται,
γῇ δὲ ναυσθλωθήσεται | ῥήσσονται πηδοῖς
χέρσον: Julian Or. 1, p. 28 v ἐπειράτο
πλεῖν καὶ πεζεῖν ἀπεναντίον τῇ φύσει
μαχόμενος. Cicero is obviously here ren-
dering a rhetorical commonplace, which
accounts for the syntax in *maria ambu-
lavisset, terras navigasset*. Quint. 1, 5, 38
cites *ambulo viam* as a solecism; in Ovid,
Fast. 1, 122 libera perpetuas ambulat
illa vias, the reading is not quite certain:
for *perpetuas* some mss. give *per vias*.
Quint. 1, 4, 28 notes *campus curritur*
and *mare navigatur* as good Latin; exx.
of *navigare* and *natare* with acc. in
Draeger, § 165; Off. 3, 42 stadium currit.
Among passages in Latin writers similar
to this concerning Xerxes are Sen. suas.
2, 21 si iam X. ad nos suo mari navigat,
fugiamus antequam nobis terra subri-
piatur; Amm. M. 22, 8, 4 unde...X.
maria pedibus peragravit; 17, 13, 27
peragrans pedibus flumina; Anth. Lat.

Genesis

Banbur:
in mari
in terra

is driven to
a close
version

- navigasset, si, cum tanto impetu in Graeciam venisset, causam quis ex eo quaereret tantarum copiarum tantique belli, mel se auferre ex Hymetto voluisse diceret, certe sine causa videretur tanta conatus, sic nos sapientem plurimis et gravissimis artibus atque virtutibus instructum et ornatum non, ut illum, maria 5 pedibus peragrantem, classibus montes, sed omne caelum totamque cum universo mari terram mente complexum, voluptatem petere si dicemus, mellis causa dicemus tanta molitum.
- 113 Ad altiora quaedam et magnificentiora, mihi crede, Torquate, nati sumus, nec id ex animi solum partibus, in quibus inest 10 memoria rerum innumerabilium, in te quidem infinita, inest coniectura consequentium non multum a divinatione differens, inest moderator cupiditatis pudor, inest ad humanam societatem iustitiae fida custodia, inest in perpetiendis laboribus adeundisque periculis firma et stabilis doloris mortisque contemptio— 15 ergo haec in animis, tu autem etiam membra ipsa sensusque considera, qui tibi, ut reliquae corporis partes, non comites
- 114 solum virtutum, sed ministri etiam videbuntur. Quod si in ipso corpore multa voluptati praeponenda sunt, ut vires, valetudo, velocitas, pulcritudo, quid tandem in animis censes? in quibus 20

1 navigasset: *navigavisset* ABE. 10 inest: om. B. 11 in te: ita A; *inde* BE; *vite* codd. cett. 12 consequentium: *consequencia* E. 17 corporis: om. B. 18 quod: ita B; *quid* A.

Riese 442 X. magnus adest...calcatur pontus, fluctuat altus Athos; ib. 239 novus hic dominus terramque diemque fretumque permutat (*diemque* referring to the cloud of arrows); Arnob. adv. g. 2, 5 ut ille immanis X. mare terris immitteret et gressibus maria transiret; cf. too Sall. Cat. 13, 1 a privatis compluribus subvorsos montes, maria constricta esse. Sen. d. 3, 21, 1 terras transferre maria concludere (of marine villas).

6. omne caelum...complexum: Plat. Theaet. 173 E.

8. petere: *xpetere* might have been expected here, and may have been written by Cicero; see my n. on Cato m. 43. *Peti* below, 4, 47 is different.

9. ad altiora...nati sumus: 5, 21 ad maiora quaedam...nati sumus.

mihi crede: n. on 2, 69.

11. rerum inn.: Acad. 2, 30 eo cum accessit rerum innumerabilium multitudo, where see my n.; cf. too Lact. 7, 8 artium rerumque innumerabilium scien-

tia (of the mind). The *divina memoria* of Torquatus is mentioned in Brut. 265.

13. ad...societatem: but for the awkwardness of the double genitive, *societatis* would have been written. But to suppose that *tuendam* (Leid.) or some such word has dropped out is not unreasonable. Cicero here gives *διανοητικὰ ἀρετὰ* followed by three out of the four cardinal virtues, *φρόνησις* being omitted.

16. ergo haec in animis: n. on § 41 atque haec...Aristippum.

membra...partes: 3, 18 membrorum, id est partium corporis.

18. ministri: cf. § 41 and 3, 23 ut membra nobis ita data sunt ut ad quamdam rationem vivendi data esse appareant, where see n.

quod si, etc.: it is assumed that these endowments would be desirable, even if productive of no gratification or pleasure. Cf. 3, 17, 51.

19. vires...pulcritudo: see Acad. 1, 19, with my n.

doctissimi illi **veteres** inesse quiddam caeleste et divinum putaverunt. Quod si esset in voluptate summum bonum, ut dicitis, optabile esset maxima in voluptate nullo intervallo interiecto dies noctesque versari, cum omnes sensus dulcedine omni **quasi** 5 perfusi moverentur. Quis est autem dignus nomine hominis, qui unum diem totum velit esse in genere isto voluptatis? Cyrenaici quidem non recusant; **vestri** haec verecundius, illi fortasse constantius. Sed lustremus animo non has maximas 115 artis, quibus qui carebant, inertes a maioribus nominabantur, 10 sed quaero num existimes, non dico Homerum, Archilochum, Pindarum, sed Phidian, Polyclitum, Zeuxim ad voluptatem artis suas direxisse. Ergo opifex plus sibi proponet ad formarum quam civis excellens ad factorum pulcritudinem? Quae autem est alia causa erroris tanti, tam longe lateque diffusi, nisi quod 15 is qui voluptatem summum bonum esse decernit, non cum ea parte animi, **in** qua inest ratio atque consilium, sed cum cupiditate, id est cum animi levissima parte, deliberat? Quaero enim de te, si sunt di, ut vos etiam putatis, qui possint esse beati,

3 esset: esse BE. 3 maxima in voluptate: ita A; *in maxima voluptate* B.
3 intervallo: vallo B. 7 haec: hic B. 9 qui: om. A. 9 a maioribus:
ita E; *amoribus* AB. 11 Polyclitum: ita E; *polichitum* A; *pilochlitum* B.
11 Zeuxim: *zeuxim* A; *ceurim* BE. 14 alia: illa A. 15 esse: om. B. 15 decernit:
decerit B; *dicerint* E. 15 non: om. B. 16 in: om. AB. 17 deliberat? Quaero:
deliberatur quaero B. 18 di: *dii* AB. 18 possint: *possunt* codd.; corr. Lambinus.

1. **veteres**: Plato, Aristotle and followers.

3. **nullo...interiecto**: cf. § 40 which Cicero seems to have forgotten here.

4. **dies noctesque**: 1, 51 and n. to Cat. m. 1.

quasi perfusi: cf. 2, 6.

5. **dignus nomine hominis**: n. to 1, 4.

7. **verecundius**: for the ellipse see n. on 3, 63.

8. **constantius**: 1, 23 quod quamquam Aristippi est a Cyrenaicis melius liberiusque defenditur.

maximas artis: i.e. *virtutes*; there is a Stoic touch here; see 4, 4.

9. **quibus qui**: n. on 1, 26.

inertes: cf. Lucil. 13, 1. 16 (L. Müller), quoted by Servius on Virg. Aen. 4, 158: ut perhibetur iners, ars in quo non erit ulla; Cic. part. or. 35 animi...quem ad modum affecti sint, virtutibus vitiis, artibus inertis.

10. **sed quaero**: in contrast with *non* has above, with a slight change of construction. As to the inconstancy of moods in this sentence see C. F. W.

Müller and also on Acad. p. 71, 21; Tusc. p. 283, 28; Rep. p. 273, 37; Orat. Vol. 1, p. 86, 1. 1.

11. **Phidian...Zeuxim**: the same artists are mentioned together in Acad. 2, 146. Modern writers about ancient art have often **wrongly** assumed that Cicero here and there also intended to convey that these three names were the greatest in the annals of Greek art. See **my n. on Acad. 1. 1.**

12. **direxisse**: cf. § 71.

opifex: see 3 § 4, a similar passage. The word applies to all craftsmen, whether artists or mere mechanics.

13. **factorum pulcritudinem**: cf. Aug. Ep. 118, 16 p. factorum atque dictorum.

15. **ea parte**, etc.: on the Platonic aspect of this see Hirzel p. 653.

16. **cum cupiditate...deliberat**: Sen. ep. 13, 6 ut...cum tua patientia deliberes.

18. **si sunt di...si...beati sint**: the change of mood in parallel *si*-clauses is common; so Att. 7, 10; 16, 14, 1; De Or. 2, 176; Liv. 21, 13, 5; 37, 7, 9; Ad Herenn. 2, 43; 4, 2.

cum voluptates corpore percipere non poſſint, aut, ſi ſine eo genere voluptatis beati ſint, cur ſimilem animi uſum in ſapiente eſſe nolitis.

- 116 XXXV. Lege laudationes, Torquate, non eorum, qui ſunt ab Homero laudati, non Cyri, non Agesilai, non Ariſtidi aut Themis-5 tocli, non Philippi aut Alexandri, lege noſtrorum hominum, lege veſtræ familie; neminem videbis ita laudatum ut artifex callidus comparandarum voluptatum diceretur. Non *elogia* monumentorum id ſignificant, velut hoc *ad portam*: 'Hunc unum plurimæ conſentiunt gentes populi primarium fuiſſe virum.' 10
- 117 Idne conſenſiſſe de Calatino plurimas gentis arbitramur, primarium fuiſſe populi, quod præſtantiffimus fuiſſet in con-
ficiendis voluptatibus? Ergo in eis aduſcentibus bonam ſpem eſſe dicemus et magnam indolem, quos ſuis commodis inſervi-
turos et, quicquid ipsis expediat, facturos arbitrabimur? Nonne 15
videmus quanta perturbatio rerum omnium conſequatur, quanta *confuſio*? Tollitur beneficium, tollitur gratia, quæ ſunt vincla concordia. Nec enim, cum tua cauſa cui commodæ, beneficium

1 percipere: *percipe* A; *percipi* B. 4 ſunt: *sint* AB. 5 Agesilai: *hageſi*.
lai ABE. 8 voluptatum: *utilitatum* AB. 8 *elogia*: *eulogia* AB.
9 hunc unum: *uno cum* AB; *uno cui* codd. alii; *unum hunc* Orellius: corr. Madv.
10 populi: om. B. 11 idne: *et dñe* B. 12 fuiſſe populi: ita A; *populi fuiſſe* B.
15 arbitrabimur: ita A cod. Morel.; *arbitramur* B. 15 nonne: *nomine* A.
17 vincla: ita A; *vincula* B. 18 tua cauſa: ita cod. Glogauenſis; *tuā cauſā* A;
tuam cauſam B. 18 cui: ita AB; *cuiquam* codd. cett.; *cuiſpiam* Madv.

1. cum...non poſſint: it is not quite certain whether the Epicurean gods were incapable of bodily pleaſure.

7. artifex...voluptatum: 1, 42 n. A different conſtruction in Verr. 2, 5, 183 artifices ad *corrupendum* iudicium.

8. *elogia*: = *ἐλογεῖα*. The change of *e* to *o* is in ſome inſtances in Latin due to the neighbourhood of *l*; cf. *oliva*, *lopadas*, *soluo*=*se-luo* (Stolz). The word always indicates a brief inſcription on a tombſtone or other memorial, or a ſhort clause in a will (Clu. 135); or (in late writers) an entry of a plaint againſt a debtor or malefactor; it never has the ſenſe of *laudatio*.

9. *hunc unum*, etc.: the ſame two lines are given in Cato m. 61, but the inſcription probably contained more; ſee my n. there. The reſemblance to the *elogium* of L. Scipio, ſon of Barbatus (C.I.L. i. 32) is ſtriking: *hunc vino ploirume coſentient R(oma) | duonoro optumo fuiſe viro*. The tomb was outſide the porta Capena, cloſe to that of

the Scipiones, Servilii, Metelli (Tusc. 1, 13).

11. idne conſenſiſſe: Livy pushes the accuſative conſtruction beyond Cicero's uſage, as in 8, 6, 8 conſenſit et ſenatus bellum; 1, 32, 12.

plurimas gentis: referring to the peoples with whom Calatinus came in contact on his public ſervice, in the courſe of which, as conſul in 258 and 254, he fought in Sicily. Cicero often eulogiſes him as an old Roman hero.

primarium...populi: Cicero would hardly have omitted *virum* here had it not been expreſſed above.

15. *quicquid ipsis expediat*: cf. 2, 76. *arbitrabimur*: the deliberative ſubj.

is not common with verbs of thinking; ſee C. F. W. Müller on Orat. 1, 196, 32.

16. *perturbatio...confuſio*: ſo N.D. 1, 3 *perturbatio vitæ ſequitur et magna confuſio* (the reſults of Epicureanism).

17. *vincla*: cf. Off. 1, 50.

18. *cum...commodes*: 'if at any time (whenever) you lend': cf. n. to Acad. 2, 14.

identity
with

II 119] *DE FINIBVS BONORVM ET MALORVM* 221

illud habendum est, sed **generatio**, nec gratia deberi videtur ei qui sua causa commodaverit. Maximas vero virtutes iacere omnis necesse est voluptate dominante. Sunt etiam turpitudines plurimae quae, nisi **honestas** natura plurimum valeat, cur non
5 cadant in sapientem non est facile defendere. Ac ne plura com-118
plectar (sunt enim innumerabilia), bene laudata virtus voluptatis aditus intercludat necesse est. Quod iam a me exspectare noli. Tute introspecte in mentem tuam ipse eamque omni cogitatione pertractans percontare ipse te, perpetuisne malis voluptatibus
10 perfruens in ea, quam saepe usurpabas, tranquillitate degere omnem aetatem sine dolore, assumpto etiam illo, quod vos quidem adiungere soletis, sed fieri non potest, sine doloris metu, an, cum de omnibus gentibus optime mererere, cum opem indigentibus salutemque ferres, vel Herculis perpeti aerumnas.
15 Sic enim maiores nostri labores non fugiendos tristissimo tamen verbo **aerumnas** etiam in deo nominaverunt. Elicerem ex te 119

1 **generatio**: ita B; *veneratio* A. 2 sua causa commodaverit: *sua causā commodaverit* A; *sua commodaverit causam* B; corr. Baiter. 3 necesse: *nec esse* BE. 4 **honestas**: *Crat.*; *honestas* AB. 5 in sapientem: *insipientem* E. 5 ac: *at* BE. 7 aditus: *bene aditus* B. 10 quam: *quem* A. 13 gentibus om. B. 13 mererere: *merere* ABE. 15 nostri: *vestri* B. 15 fugiendos: *figiendos* A; *finiendo* BE. 16 elicerem *coni.* Gruter et Baiter: *eligerem* ABE; *exigerem* vulg.

1. **generatio**: Lael. 31 beneficium feneramur; Sen. ben. 1, 2, 3 turpis generatio est beneficium acceptum ferre; Plin. ep. 1, 13, 6 ne videar quorum recitationibus adful, non auditor fuisse sed creditor; Mart. 7, 86, 9 non est sportula quae negotiatur: | pascis munera, Sexte, non amicos; Sen. ben. 6, 12, 2 multum, ut ait Cleanthes, a beneficio distat negotiatio; ep. 9 § 10 negotiatio non amicitia; ben. 1, 1, 9; 2, 10, 2; 2, 21, 2; 2, 31, 2; 3, 15, 4; 4, 3, 3.

5. **cadant in sapientem**: 3, 68.

6. **bene laudata**, etc.: if the text is sound the sense must be that if teachers show forth aright the merits of virtue, then the approach of pleasure will be barred. But possibly **laudata** is erroneous for **fundata**. [But perhaps *quod iam* shows **laudata** to be right.]

voluptatis: see n. on § 27. In Tusc. 5, 27 fortunae aditus interclusisti, the context shows fortunae to be genitive.

10. **usurpabas**: = *nominabas*, as below, 3, 33 and often.

13. **mererere**: see I, 7. Madvig notes the imperfect subj. in spite of *malis*.

14. **aerumnas**: Cicero himself here in-

dicates that the word was archaic; but there are several passages to show that it was not entirely out of use. Quint. 8, 3, 26 pronounces it obsolete. But Cicero used it occasionally (as below, 5, 95) as he used some other words of poetical and archaic character, though he would have condemned the mania for such terms which Sallust first exhibited in prose. Both Sall. and Livy employed *aerumna*. The expression is often connected with Hercules, as in Plaut. Pers. 2; Epid. 178; Juven. 10, 361. Cicero also has *aerummosus*.

15. **tamen**: here proleptic, referring to *etiam in deo*.

16. **elicerem**: the reading *eligerem ex te* is not to be justified by Tusc. 3, 83 stirpes eligendae sunt; nor by the passages which C. F. W. Müller marshals in his n. there in support of the mss. reading *eligendae*. The sense 'I would pick this out of you' is utterly unsuitable here. [The construction *exigere ex aliquo* is hardly possible in Cicero; he has *ex rebus* above, 2, 73, and even that is a rarity. The ordinary construction is *ab aliquo*, as below, 4, 80.]

το καλόν

*got a
grammatical
to collect ?*

cogeremque ut responderes, nisi vererer, ne Herculem ipsum ea, quae pro salute gentium summo labore gessisset, voluptatis causa gessisse diceres.

Quae cum dixissem, Habeo, inquit Torquatus, ad quos ista referam, et, quamquam aliquid ipse poteram, tamen invenire 5 malo paratiores—familiaris nostros, credo, *Sironem* dicis et *Philodemum*, cum optimos viros, tum homines doctissimos. Recte, inquit, intellegis. Age sane, inquam. Sed erat aequius Triarium aliquid de dissensione nostra iudicare. Eiuro, inquit arridens, inicium, hac quidem de re; tu enim ista lenius, hic 10 Stoicorum more nos vexat. Tum Triarius: Posthac quidem, inquit, audacius. Nam haec ipsa mihi erunt in promptu, quae modo audiui, nec ante aggrediar quam te ab istis, quos dicis, instructum videro. Quae cum essent dicta, finem fecimus et ambulandi et disputandi. 15

3 diceres: *dicere* BE. 4 quae cum: *que dum* B. 6 credo: *credo, inquam* cod. Glogauensis. 6 *Sironem*: ita ABE; *Scyronem* ed. Rom. (1471). 8 sane: om. BE. 9 aliquid: *aliquod* B. 9 eiuro: *iuro* codd.; corr. Goerenz. 10 lenius: *levius* BE. subscriptiones; incipit liber tertius de finibus bonorum et malorum A; explicit liber secundus de finibus bonorum et malorum marci tuly ciceronis. Marci tuly Ciceronis de finibus bonorum et malorum liber tertius incipit B.

2. gessisset: n. on 1, 25 (referatur).

6. *Sironem*: Acad. 2, 106.

7. viros...homines: here, as often, the change from *vir* to *homo* is merely for change's sake; but it often has a purpose; see Tusc. 2, 53; Sest. 82, and n. to Arch. 16.

8. age sane: 'well, well'; a formula concedentis, as in Pl. Ps. 1326.

erat aequius: see my n. on Lael. 15.

9. eiuro...inicium: cf. Verr. 2, 3, 137 id forum sibi inicium eierare; Phil. 12, 18 me inicium eierabant; De Or. 2, 285 (quoting Scipio Nasica Serapio) eiero, inicus est...non ego mihi illum inicium eiero, verum omnibus. Tusc. 4, 73 Venerem unam excludit ut inicam. The legal oath would be tendered when the *reus* argued 'aut accusatorem mutandum aut iudices mutandos' (Ad Herenn. 1, 22) and there might be an appeal to a tribune: cf. Aser. 84 appellavit tribunos Antonius iuravitque se id eiurare quod aequo iure non posset uti.

Plut. Cat. Min. 48 ἀπολέγειν ('reject') opp. to ἀπολείπειν. For the omission of *ut* in the passages quoted above cf. Arch. 19 Chii (Homerum) suum vindicant, and the passages given in the Addenda to my edition; add Ter. Haut. 204 illum insimulat durum; Cic. Mil. 66 non poteram Cn. Pompeium...timidum suspicari; Plin. n. h. 20, 119 ocimum Chrysippus graviter increpuit inutile stomacho; ib. 107.

10. lenius...audacius: n. on 1, 3 and Cat. M. 3.

14. finem...disputandi: Apul. met. 1, 21, p. 19 (ed. Helm) is finis nobis et sermonis et itineris communis fuit. Madvig. says 'nullam ambulationem Cicero initio libri I commemoravit.' But the *ambulatio* is implied in the word *insisteres* above, § 51. In most of Cicero's dialogues it is pointed out that the interlocutors are seated during the discussion; see my note on Acad. 1, 14 assidamus. On the other hand Tusc. 1, 7 and 2, 10; Leg. 1, 15 with 2, 1.

Elys.

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